United Nations S/2009/290

Security Council

Distr.: General
5 June 2009

Original: English

# Letter dated 5 June 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, and in accordance with paragraph 4 (e) of resolution 1854 (2008), I have the honour to submit herewith the midterm report of the Panel of Experts on Liberia (see enclosure).

I would appreciate it if the present letter, together with its enclosure, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Abdurrahman Mohamed **Shalgham**
Chairman
Security Council Committee established pursuant to
resolution 1521 (2003) concerning Liberia

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## Enclosure

### Letter dated 20 May 2009 from the Panel of Experts on Liberia addressed to the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003)

The members of the Panel of Experts on Liberia have the honour to transmit the midterm report of the Panel prepared pursuant to paragraph 4 of Security Council resolution 1854 (2008).

(*Signed*) Wynet **Smith**
Coordinator

(*Signed*) Thomas **Creal**

(*Signed*) Hervé **Gonsolin**

# Midterm report of the Panel of Experts on Liberia submitted pursuant to paragraph 4 of Security Council resolution 1854 (2008)

*Summary*

**Diamonds**

The Government of Liberia authorized the export of over 2,500 carats of rough diamonds valued at almost $1.99 million between 1 January and 30 April 2009, earning the Government over $59,000 in royalties. Exports are down significantly from 2008 although the average value per carat has increased. The individual arrested for impersonating an authority of the Government diamond export authorizing agency was indicted during March 2009, although his whereabouts are unknown. The Ministry of Lands, Mines and Energy's Assistant Minister for Mines, who is responsible for issuing mining, broker and dealer licences, was dismissed early in 2009 for alleged corruption.

**Forestry**

There are now 64 companies pre-qualified to bid on logging concessions. The first three forest management contracts were amended to include the original annual bid premium payment and were signed by the President; they were still in the National Legislature awaiting final ratification on 5 May 2009. For the next four forest management contracts, the Forestry Development Authority (FDA) made improvements to the bid documents that clarify technical and financial requirements and provide more clear guidance to the bid evaluation panel. Only one company has commenced logging and the sector is unlikely to provide significant revenues in the current fiscal year. The Forestry Development Authority has begun discussing the need to revise the National Forestry Reform Law.

**Information on designated individuals**

The Security Council Committee established pursuant to resolution 1521 (2003) (hereafter, "the Committee") concerning Liberia has de-listed Jenkins Dunbar and Gus Kouvenhoven from both the travel ban and assets freeze lists since the previous report of the Panel of Experts on Liberia (S/2009/785). The Panel has confirmed that seven designated individuals have been in contact by telephone with former Liberian President Charles Taylor since his incarceration. These individuals are: Cyril Allen, John T. Richardson, Edwin Snowe, Agnes Reeves Taylor, Jewel Howard Taylor, Tupee Enid Taylor and Benjamin Yeaton. Charles "Chuckie" Taylor, Jr., was sentenced to 97 years for his convictions in a Miami Federal Court of torture, firearms and conspiracy charges; he is appealing his conviction. The trial of Charles G. Taylor by the Special Court for Sierra Leone is ongoing; a motion by his defence team for dismissal of all charges was rejected in early May 2009. The Government of Liberia issued an indictment for murder against Benjamin Yeaton.

### Travel ban

The Panel is investigating allegations of unapproved travel by individuals subject to the Security Council travel restrictions concerning Liberia. The Government of Liberia has issued at least four passports, including diplomatic passports, to listed individuals. Immigration officials at the Liberian-Sierra Leone border were not in possession of the travel ban list during a Panel visit on 12 May 2009.

### Assets freeze

The Panel has undertaken investigations to assess the impact and effectiveness of the Council assets freeze measures concerning Liberia. The Panel has written to a number of Member States to request access to bank records and other information as part of the ongoing tracing exercise to determine where monies have gone. The Panel has collected data on the assets of designated individuals in Liberia and has provided this information to the Government of Liberia for action. It is still uncertain as to whether the Government of Liberia will act to implement the assets freeze measures despite assurances to the Panel that the Ministry of Justice thinks the legal framework exists.

### Arms embargo

The Panel held meetings and consultations with relevant stakeholders in Liberia, Sierra Leone and the United States of America to discuss the arms embargo and the status of exemptions granted by the Committee. During the period covered by the present report, the Panel has not found any concrete evidence of major violations nor attempted violations of the arms embargo. However, the Panel is currently conducting investigations into a few items that have come to its attention.

# I. Introduction

1. By resolution 1854 (2008), the Security Council decided to renew for a further period of 12 months the measures on arms imposed by the Council in paragraph 2 of its resolution 1521 (2003) and modified by it in paragraphs 1 and 2 of its resolution 1683 (2006) and in paragraph 1 (b) of its resolution 1731 (2006), and to renew the travel ban measures imposed by it in paragraph 4 (a) of resolution 1521 (2003). The Council also recalled that the assets freeze measures on designated individuals and entities imposed by it in paragraph 1 of its resolution 1532 (2004) remained in force. The Council ended its prohibition on timber imports from Liberia in June 2006 and on diamond imports from Liberia in April 2007.

2. In its resolution 1854 (2008), the Security Council extended the mandate of the Panel of Experts on Liberia appointed pursuant to resolution 1819 (2008) until 20 December 2009 to investigate and report on the implementation of the relevant sanctions measures. The Council also tasked the Panel with assessing compliance by the Government of Liberia with the Kimberley Process Certification Scheme for diamonds and its implementation of the National Forestry Reform Law. The Council also asked the Panel to assist the Committee established pursuant to resolution 1521 (2003) concerning Liberia (hereafter, "the Committee") in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists (see Council resolution 1854 (2008), para. 3).

3. In a letter dated 20 January 2009 (S/2009/47), the Secretary-General reappointed two members of the Panel of Experts: Wynet Smith (Canada, an expert on natural resources and Coordinator) and Thomas Creal (United States of America, an expert on finance). Hervé Gonsolin (France, an expert on arms) was appointed on 24 February 2009 (S/2009/109). The Panel also had the assistance of a legal consultant, Jim Dube (Canada), from 15 February to 31 May 2009.

4. The present document is the official midterm report of the Panel of Experts, as requested by the Security Council in paragraph 4 (e) of resolution 1854 (2008), summarizing the observations and conclusions of the Panel for the period from 20 January to 15 May 2009.

# II. Methodology and collaboration with stakeholders

5. The Panel conducted investigations within each of its mandated tasks. It conducted reviews of evidence and documentation provided by States and national, regional and international organizations and private companies, and undertook field investigations. The Panel used established evidentiary standards to substantiate its findings: fully authenticated documentary evidence or at least two credible and verifiably independent sources.

6. The capacity of the Government of Liberia to implement effective border controls on land, along the coast and at the airports and ports of Liberia remains a source of concern. The Panel has commenced investigations into the effectiveness of border controls at various import/export sites. The assessment is important not only for monitoring potential violations of the arms embargo and travel ban but also for assessing the ability of the Government of Liberia to control its natural resources and capture revenue from their extraction. The Panel will continue this work in the next half of its mandate and report on its findings in December 2009.

7. The Panel began its investigations in New York during the week of 8 February 2009. It has held meetings with various permanent missions to the United Nations, with INTERPOL officials in New York and with officials of the Government of the United States of America in Washington, D.C. Members of the Panel were in Liberia from 18 February to 3 April 2009 and from 19 April to 20 May 2009. The Panel also visited Guinea from 2 to 5 March 2009, during a joint mission with the Group of Experts on Côte d'Ivoire, and Sierra Leone on 12 May 2009.

8. In Liberia, the Panel has conducted extensive interviews and investigations in Monrovia and in Bomi, Gbarpolu, Grand Bassa, Grand Cape Mount and Margibi counties. The Panel has interviewed and worked with ministers and officials of a number of Government ministries and agencies. It has also met with the Public Procurement and Concessions Commission, the Truth and Reconciliation Commission, multilateral organizations and various diplomatic missions, civil society organizations and private sector entities in Liberia. The Panel has attended meetings and participated in conference calls with relevant organizations to collect information, including the Liberia Extractive Industries Transparency Initiative (26 February 2009), the Liberia Forest Initiative (4 February 2009 and 5 May 2009) and a technical committee of the Presidential Task Force on Diamond (5 March 2009).

9. The Panel is pleased to report that, in general, relations with the Government of Liberia remain collaborative and transparent. The Panel has obtained access to a wide range of documents, required for its investigations, from the Ministries of Commerce, Finance, Justice and Lands, Mines and Energy, and from the Forestry Development Authority (FDA). However, there have been some regrettably negative responses to the work of the Panel in some quarters (see section V below for further details) and a confidential letter from the Panel regarding the assets freeze sent to the Government of Liberia (see section VIII below) was leaked to the newspapers.

10. As requested by the Security Council, the Panel cooperated with the Group of Experts on Côte d'Ivoire appointed pursuant to resolution 1842 (2008). The Panel conducted joint missions with the Group of Experts on Côte d'Ivoire to Guinea, as noted in paragraph 7 above, and to Washington, D.C., from 13 to 15 April 2009. The two groups have been exchanging information on a regular basis on arms/ammunition and diamond issues.

11. As requested by the Security Council in paragraph 4 of its resolution 1854 (2008), the Panel has also been cooperating with the Kimberley Process in its assessment of implementation by the Government of Liberia of the Kimberley Process Certification Scheme. The Government of Liberia, the Kimberley Process review visit team and the Panel coordinated to set a date for a review visit during the week of 18 May 2009. The Panel will participate in that review visit.

12. The Panel is grateful for the assistance provided by the United Nations Mission in Liberia (UNMIL), both in terms of logistics and the sharing of information.

13. The Panel has received information and assistance from a wide range of actors both in Liberia and elsewhere. Annex I to the present report provides a list of organizations contacted by the Panel in the course of its investigations.

## III. Recent developments in Liberia and the region

14. The situation in Liberia is relatively calm, although there is increased political activity related to the 2011 presidential and legislative elections. Discussions are taking place among various political parties to form alliances.

15. The National Legislature recently passed the "Act Establishing the Liberia Extractive Industries Transparency Initiative". The Government of Liberia won an award at the Extractive Industries Transparency Initiative Conference held in Doha in February 2009. The secretariat of the Liberia Extractive Industries Transparency Initiative has released its first annual report.

16. Unregulated natural resources extraction activities, including pit-sawing and mining, continue in many areas of the country. Pit-sawing activities were occurring in forest concession areas under allocation in late 2008. There was a recent conflict in Gbarpolu County regarding an attempt to identify illicit miners and foreigners working in the sector in Liberia. Re-establishing full control in rural, natural resource-rich areas remains a significant challenge for the Government of Liberia.

17. The current global economic crisis has begun to impact Liberia. Arcelor Mittal has delayed the date of entering its production phase and has laid off workers. Rubber plantations have experienced falling rubber prices and a lack of funds to pay workers. These steps have led to protests and conflict in some situations. The decline is also impacting activities in the diamond mining and forestry sectors.

18. The United Nations Development Programme-run project on reintegration assistance to residual caseload beneficiaries of the Liberia disarmament, demobilization, rehabilitation and reintegration Programme is in the process of closing down. As at June 2007, 101,000 ex-combatants had been disarmed and 81,000 verified beneficiaries had received reintegration assistance. The disarmament, demobilization, rehabilitation and reintegration multi-donor trust fund had created reintegration opportunities for over 62,000 beneficiaries, while the parallel partners had provided assistance to over 31,000 beneficiaries. The remaining 9,000 beneficiaries have also benefited from the reintegration assistance provided under the project.

19. The situation in neighbouring countries is of greater concern currently than it was six months ago, given the December 2008 coup in Guinea and the ongoing delays in the peace process and in elections in Côte d'Ivoire. The interim findings of the Group of Experts on Côte d'Ivoire, with respect to "physical evidence that suggested a consistent pattern of violations of the arms embargo", are troubling (see para. 45, S/2009/188). Even Sierra Leone had a serious incident during March 2009, in which violence broke out between opposing political parties, with allegations of beatings and rape.

## IV. Diamonds

20. The Security Council lifted sanctions on Liberia's rough diamonds on 27 April 2007. Liberia has been a participant in the Kimberley Process since 4 May 2007 and began to export diamonds during September 2007. Specific requirements of the Kimberley Process include: issuance of certificates for each shipment; internal controls for both the export and import of rough diamonds; maintenance and

reporting of statistics; and cooperation and transparency. In its previous three reports, the Panel summarized Liberia's system of internal controls designed to meet the requirements of the Kimberley Process Certification Scheme (see S/2007/689, paras. 19-25; S/2008/371, paras. 108-113; and S/2008/785, paras. 18-56).

21. Both the Kimberley Process review visit and the Panel of Experts recommended a follow-up visit one year after the review visit held during April and May 2008. The Ministry of Lands, Mines and Energy sent a letter dated 26 January 2009 to the Chair of the Kimberley Process Working Group on Monitoring inviting a follow-up review visit. The Panel will provide an oral update to the Committee in early June 2009 on the review visit scheduled for the week of 18 May 2009 and will include a full assessment in its December 2009 report.

22. The Panel has been collaborating with the Kimberley Process pursuant to resolution 1854 (2008). In addition to cooperating on the review visit, the Panel wrote a letter in April 2009 to the Kimberley Process secretariat in Namibia requesting access to the statistical database and an update of a Kimberley Process analysis of West African regional diamond trade data. The Panel has also participated in discussions of the ad hoc committee on Côte d'Ivoire of the Kimberley Process Working Group on Monitoring and is collaborating with the Group of Experts on Côte d'Ivoire on diamond issues.

23. The Panel has focused on collecting data regarding outstanding issues and the recommendations made both by the Panel and by the Kimberley Process review visit of May 2008. The Panel has reviewed documents and digital data at the Government Diamond Office in Monrovia and has conducted interviews and discussions with the Minister and officials in the Ministry of Lands, Mines and Energy. However, the Panel has decided to refrain from a complete assessment for the present midterm report, given the imminent Kimberley Process review visit and ongoing investigations by the Kimberley Process in various areas.

## A. Developments in the diamond sector

24. Between 1 January and 30 April 2009, the Government of Liberia issued 15 Kimberley Process certificates authorizing the export of just over 2,500 carats of rough diamonds, valued at almost $1.99 million (see table 1). The Government has earned over $59,000 in royalties from those exports.

Table 1
**Summary of Liberian rough diamond exports**

| *Period* | *Certificates* | *Carats* | *Value* | *Export tax* |
|---|---|---|---|---|
| | | | *(United States dollars)* | |
| September-December 2007 | 16 | 21 699.74 | 2 657 541.58 | 79 726.25 |
| **Total 2008** | **68** | **47 006.50** | **9 891 785.34** | **296 753.56** |
| 1 January-30 April 2009 | 15 | 2 518.21 | 1 987 685.63 | 59 630.57 |
| **Total since September 2007** | **99** | **71 224.45** | **14 537 012.55** | **436 110.38** |

25. The number of exports is low in comparison to the same period in 2008, a year during which the Government reported that it had issued 68 Kimberley Process certificates authorizing exports of over 47,000 carats of diamonds valued at almost $9.9 million. Those exports netted the Government just over $296,000 in royalties. However, the Panel notes that the average value per carat has increased significantly during the first four months of the 2009 calendar year due to an increase in the export of more valuable diamonds.

26. The Ministry of Lands, Mines and Energy has issued 34 diamond dealer (exporters) licenses since 2007. Sixteen licenses were valid as at the end of February 2009. As of 1 April 2009, there were 11 active class B diamond mining licenses, which are issued for industrial alluvial mining activities. The Panel requested an update on class C (artisanal) diamond mining licenses in early March 2009 but was provided data on a compact disk that did not function. The Panel has requested that the data be supplied to the Kimberley Process review visit team and the Panel during the week of 18 May 2009.

27. The Minister of Lands, Mines and Energy informed the Panel that the American Mining Associates company that had been operating in Gbarpolu County had closed down and that the Ministry was engaging in legal proceedings to terminate the concession.

28. The Panel notes that the six exports of rough diamonds during December 2008 included the diamonds that had been exported to Israel in late 2007 without a Kimberley Process certificate (see S/2008/785, para. 26). The Government Diamond Office chief valuator travelled to Israel during December 2008 to assess the diamonds and later issued a certificate for the stones. The Panel notes from licensing records that the exporter did not renew his dealer's license when it expired in August 2008; thus the certificate appears to have been issued to the company, although the licence had lapsed, in order to close the case.

## B. Update on implementation

29. The Presidential Task Force on Diamonds decided in a meeting held in September 2008 that more technical input was required to improve implementation of the Kimberley Process Certification Scheme and approved the creation of a technical committee to provide an oversight role. The Ministry of Lands, Mines and Energy has invited representatives from the Ministry of Justice and Ministry of Finance to participate in the committee. Civil society has also requested involvement in implementation of the Kimberley Process in Liberia.

30. The Ministry of Lands, Mines and Energy and the European Commission advisers prepared a draft workplan, which is intended to assist the technical committee in strengthening implementation of the Kimberley Process. The draft plan was initially discussed at a meeting of the technical committee held in January 2009, and a revised, shortened workplan with specific activities and timelines was to be developed for the next committee meeting. The Panel attended that meeting, held on 5 March 2009, during which the Deputy Minister of Planning of the Ministry of Lands, Mines and Energy presented a new version of the workplan that still contained no specific timelines for the activities. Members of the technical committee expressed disappointment at the lack of progress on finalizing the workplan and the lack of provision of data for them to review. There have been no

further meetings of the Presidential Task Force on Diamonds or of the technical committee since that date.

**Improving implementation of internal controls**

31. A number of recommendations have been made to improve implementation of the system of internal controls in Liberia, including the revision and expansion of the Government Diamond Office procedures manual, development of a personnel manual, revised job descriptions and development of a manual for use by Customs. A revised Government Diamond Office procedures manual has been completed with assistance from European Commission advisers.

32. An initial recommendation from Kimberley Process expert missions and set out in Panel reports was the establishment of regional diamond offices. While containers were initially distributed to 10 locations, three containers later had to be either removed or relocated, and officers are working out of temporary locations. The Ministry of Lands, Mines and Energy has developed plans and has now identified funds to construct its own buildings in those three locations. The Panel is not aware of a plan to build an office in Sinoe County, where diamond mining also occurs.

**Reporting, data and administrative requirements**

33. Liberia submitted its annual report for 2008 by 31 March 2009 to the Kimberley Process, as required.

34. As noted in the previous report, the Government Diamond Office has a digital database that was created to help it maintain its statistics; however, there were problems with its design with regard to Liberia's requirements (see S/2008/785, para. 37). The United States Geological Survey made initial revisions to the digital database and sent a laptop computer with the revised database to the Ministry of Lands, Mines and Energy in February 2009.

35. During a meeting held in Washington, D.C., on 15 April 2009, United States Geological Survey officials informed the Panel that they had visited Liberia during March 2009 to work with the Government Diamond Office on outstanding issues with the database and to provide further training. They also informed the Panel that they were in the process of making further revisions to the database to address the needs of the Liberian system and hoped to finalize all revisions within the next few months.

**Rule of law**

36. In their reviews undertaken during 2008, both the Panel and the Kimberley Process stressed the need for strengthening the rule of law. Recommendations included the establishment of full State control, improved collaboration, law enforcement training and insistence on application of the law.

37. The Panel was informed during February 2009 that there had been delays in the pursuit of the legal case against the impersonators of diamond export authorities of the Government Diamond Office (see S/2008/785, para. 43). The Panel has discussed the case with officials in the Ministry of Lands, Mines and Energy and the Ministry of Justice. Although one suspect, Joe Victor Cooper, was arrested on 18 July 2008, he was released from jail on the undertaking of his attorney, John L. Greaves, to produce Cooper in court on 21 July 2008. From the records produced for

the Panel by Magistrate Wondah S. Sondah, Jr., it appears that Cooper was in court on 21 July 2008 and that bail was posted at that time. However, no bail bond was found in the court records.

38. During March 2009, the County Attorney for Montserrado signed an indictment against Cooper and forwarded the same to the Grand Jury (see annex II). As at 31 March 2009, a True Bill of Indictment against Cooper was returned by the Grand Jury and a copy has been delivered to the Ministry of Lands, Mines and Energy to permit a direct follow-up by that Ministry with the County Attorney's office. Cooper's whereabouts are unknown.

39. The Panel notes that three assistant ministers were dismissed during the past six months at the Ministry of Lands, Mines and Energy, including both the Assistant Minister of Exploration, who is responsible for issuance of mineral exploration licenses, and the Assistant Minister of Mines, who is responsible for the issuance of class B and C miner's licenses, as well as diamond broker's and dealer's licenses. The President allegedly withdrew her nomination to install the former Assistant Minister of Mines as the Assistant Minister of Energy when allegations of corruption emerged during his confirmation hearings at the National Legislature. While the allegations of corruption could raise questions about the legitimacy of existing licenses, the Government's decisive action in this case is positive.

### C. The broader regional context

40. During their joint mission to Guinea, the Panel and the Group of Experts on Côte d'Ivoire visited the Bureau national d'evaluation (des diamants), which values rough diamonds and issues Kimberley Process certificates. The Bureau is currently developing new procedures to improve its internal controls in response to the Kimberley Process review visit of August 2008.

41. Improvements in internal controls throughout the region are necessary, given United Nations sanctions on diamonds in Côte d'Ivoire, concern in Liberia about the smuggling of diamonds outside of the Kimberley Process system and general concern about trade/smuggling in diamonds as a vulnerability factor for money-laundering.

## V. Forestry

42. The Security Council initially allowed timber sanctions to expire on 21 June 2006 and confirmed the lifting once Liberia had enacted the National Forestry Reform Law in October 2006. The National Forestry Reform Law and the 10 core FDA regulations, signed into effect on 11 September 2007, now constitute the legal framework for forest management in Liberia.

43. The Panel is in the midst of conducting investigations in a number of areas with regard to its task to assess implementation of the National Forestry Reform Law. While the Panel is examining developments in the community and conservation sectors, ongoing inquiries are focused predominantly on the commercial sector and build upon previous assessments (see relevant sections in S/2007/689, S/2008/371 and S/2008/785). In particular, the Panel is examining developments in relation to the process for awarding forest resource licenses (timber

sales contracts and forest management contracts) and overall progress towards the recommencement of commercial logging. Given the status of its investigations, the Panel has chosen to provide only an update on some activities and highlight certain issues in the present midterm report. It will provide a more complete assessment in its December 2009 report.

44. The Panel has received an official response to its previous report from FDA. The Panel will reference some comments here but will address other comments in its December 2009 report.

## A. Status of commercial logging concessions and operations

45. The pre-qualification panel, which undertakes to pre-qualify any company wishing to engage in bidding on logging concessions, has now pre-qualified 64 companies. FDA published a list of those companies on 18 February 2009 in compliance with the National Forestry Reform Law requirement for biannual publication of such a list (see annex III). The pre-qualification panel has written in its third report, dated 11 August 2009, that all seven companies that had submitted applications during the third round of application reviews were pre-qualified, including four companies for medium forest management contracts, two companies for timber sales contracts and one company for plantation timber sales contracts.

46. As of 15 May 2009, FDA has tendered six timber sales contracts and seven forest management contracts. These are at different stages of the process. As of 5 May 2009, four of the six timber sales contracts have been signed by FDA and are now in effect, given that the contracts do not require the President's signature and ratification by the Legislature. One company has commenced logging in its concession area in Grand Bassa County, with the first legally felled tree harvested on 19 February 2009.

47. The Panel visited this concession area in early March 2009 with representatives from the United States Forest Service and the Société Générale de Surveillance, the company contracted to develop and manage the chain of custody system. The logging company, Tarpeh Timber, had commenced legal logging within the concession but also felled trees illegally outside of the concession. The illegally felled trees comprise approximately 100 ekki logs along the road route to the concession. The logs contain at least five cubic metres each of wood, and have a value of over $200 per cubic metre (according to the 1-15 April 2009 tropical timber market report of the International Tropical Timber Organization), worth at least $100,000 on the international market. FDA has fined the company $2,000. The company has asked to have the logs entered into the chain of custody system and for permission to export the logs (see annex IV). The Panel will follow up on the issue, with FDA and the Société Générale de Surveillance to determine the outcome.

48. Table 2 provides an update on the status of the seven forest management contracts that FDA has identified and tendered, which, together, contain just over one million hectares of forest. The table does not list all the steps reported upon by the Panel in its previous report (see S/2008/785, table 4).

Table 2
**Status of seven forest management contracts**

| *Requirements* | *Three forest management contracts advertised* | *Four forest management contracts* |
|---|---|---|
| Certificate of concession | One certificate for all concessions | One certificate for all concessions |
| Preparation and approval of bid documents | | Bid documents revised. Approved on 24 November 2008 |
| Appropriate advertisement | Yes | Re-advertised appropriately in December 2008, with adequate time frames |
| Bid opening | Yes | Yes, on 19 February 2009 |
| Bid evaluation | Yes* | Ongoing |
| Due diligence | Yes | Ongoing, World Bank funded |
| Awarding of contracts | Yes | Not yet applicable |
| Negotiation of contracts | Yes | Not yet applicable |
| Execution of contract | Revised contracts signed by President and in Legislature for ratification | Not yet applicable |
| Invoices and fees due | *No information as at 15 May 2009 | Not yet applicable |

* See comments in previous Panel report (S/2008/785).

49. Revised contracts for the first three forest management contracts were submitted to the President who signed forest management contracts "B" and "C" on 23 January 2009 and forest management contract "A" on 10 February 2009. The three contracts were then sent to the Legislature for ratification. As at 5 May 2009, the lower House had ratified the three contracts and they were before the Senate for concurrence. According to the Liberia Forest Initiative conference call on 5 May 2009 by the FDA Managing Director, the Senate's delay was related to the delay in the passage of the Community Rights Law with respect to Forest Land.

50. In its previous report, the Panel noted that FDA had advertised the second round of four forest management contracts prior to the Inter-Ministerial Concession Committee having approved the bid documents (see S/2008/785, para. 81). The Inter-Ministerial Concession Committee has since approved revised bid documents (on 24 November 2008). FDA then re-advertised the concession areas on 5 December 2008, providing a 10-week bidding time frame. These were advertised nationally and internationally, including in the *Timber Trades Journal* in Europe, as required by international bidding requirements of the Public Procurement and Concessions Act.

51. The Panel attended the bid opening on 19 February 2009 for the four management contracts. Eleven companies submitted 16 bids for the four areas (see annex V). According to a 25 February 2009 memo from the FDA Managing Director, only 9 of the 16 bids met all the requirements. Some of the bids did not meet or exceed the reserve bid, which is based on productivity of the forest to ensure minimum revenue for the Government. Other bids were incomplete since the bids were not notarized and/or the company did not submit a bid bond. One company submitted bids on two areas without specifying whether they were under an annual or one-time payment option; all other companies indicated they were submitting bids under an annual payment option. The Panel notes that one company had within its envelope a document under the name of another company, which indicated some relationship between them.

52. The bid evaluation panel began its evaluation of the bid on 27 February 2009 and was still conducting its work as at 11 May 2009.

53. FDA attempted to contract a company to do due diligence of the bidding companies through a tendering process advertised in international media. The Government of the United States of America provided $50,000 to fund both this and a targeted marketing campaign to attract more qualified bidders. Unfortunately, no bids were received in response to the due diligence advertisement (which cost $7,230) and FDA does not appear to have used the remainder of the funds to undertake any marketing work, according to information provided by FDA. Due diligence is now being undertaken by a company under contract to the World Bank; a team of legal and financial experts began to conduct due diligence the week of 4 May 2009.

54. Although almost three years have passed since the lifting of sanctions on the import of timber from Liberia, there has been no legal export of timber from commercial logging concessions. To date, the only timber confirmed by the Panel to have left Liberia since the termination of the timber sanctions are an illegal shipment of sawn timber in March 2007 and exports of abandoned logs from the conflict period starting in August 2008. The present report examines the impacts and causes of the delays and provides an update on specific concerns regarding the allocation process documented in previous reports (see S/2008/371 and S/2008/785).

## B. Update on concerns regarding legal requirements

55. The Panel notes that the pre-qualification panel continues to pre-qualify companies for medium forest management contracts and has now pre-qualified one company for a plantation timber sales contract, although neither category exists in law or regulation. The minutes from the FDA Board of Directors retreat held on 9 February 2009 noted that the medium forest management category did not exist and therefore should be either deleted or added to the law.

56. The pre-qualification panel continues to recommend that FDA take a decision on the Forest Concession Review Committee recommendation, contained in its final report, for debarment of certain companies. However, in a letter sent to the Panel by FDA on 21 October 2008, the Managing Director indicated that FDA had circulated a debarment list to the Ministry of Finance and to the Truth and Reconciliation Commission. The list of companies appears to be the same as the list recommended by the Forest Concession Review Committee.

57. The Panel has reported that FDA had not obtained certificates of concession prior to commencing the process for allocation of logging concessions. FDA provided the Panel with copies of its requests for certificates of concession, including letters dated 18 December 2007, for six timber sales contracts; 31 December 2008, for three forest management contracts; and 12 January 2009, for four forest management contracts. The latter two letters both request the Ministry of Planning and Economic Affairs to issue certificates of concession to specific companies at the end of the allocation processes, although the law specifically requires the certificates be obtained for contract areas prior to the initiation of an allocation process.

58. FDA has also provided the Panel with a copy of a certificate issued by the Ministry of Planning and Economic Affairs on 19 February 2009 (see annex VI). The Panel notes that the Ministry of Planning and Economic Affairs certificate is a generic certificate for forest management contracts. The Panel wrote to the Ministry of Planning and Economic Affairs on 30 March 2009 to inquire why only one certificate had been issued to FDA rather than one certificate per concession, as required by law. The Panel had not received a response as at 15 May 2009, despite repeated attempts to follow up with the Minister's Chief of Staff.

59. In its previous report, the Panel described how the payment terms for the first three forest management contracts had been modified so that they would have reduced Government of Liberia revenues by millions of dollars (S/2008/785, paras. 89-93). The Panel takes note of the fact that the FDA Board of Directors passed resolution 32 to mandate that the three forest management contracts be withdrawn and each be corrected to read that the bid premium is to be paid annually (see annex VII). The Panel obtained copies of the revised contracts from FDA and can confirm that the terms were revised to an annual payment. These contracts have now been signed by the President and were awaiting final ratification in early May 2009.

60. The Panel made inquiries to determine if an investigation had been made into why and how payment terms for the three forest management contracts had been changed in the first place and who was involved. Based on documentation provided, the Panel understands that FDA undertook an investigation based on allegations made at a Board of Directors meeting. The Board of Directors minutes of the 18 December 2009 meeting state that a prolonged discussion had occurred in relation to why bidders would be confused about a one-time versus annual payment "despite reading and signing onto the requirement for multiple payments". At that point, the FDA Governance and Economic Management Assistance Programme controller informed the Board that a representative of one company told him that he was assured by two employees of FDA that if they bid high in order to obtain a concession area, the technicians would make a plea on their company's behalf for a one-time bid premium payment during contract negotiations. The Board requested an internal investigation into this allegation.

61. A report dated 10 February 2009 by the Board's Administrative Committee (see annex VIII) concludes that "from the facts and circumstances, the investigation finds no iota of truth in ... [the] revelation made to the Board of Directors on December 18 2008". The minutes of the 13 February 2009 Board of Director meeting notes that the Board requested some rephrasing to indicate that the Governance and Economic Management Assistance Programme controller's

"statement is not supportive of the facts and circumstances" as the company representative and FDA employee denied the allegation and the other international advisers present at the meeting "would neither confirm nor deny the statement".

62. The Panel notes, however, that written submissions by the two other international advisers indicate that the referenced conversation, at which they were present, was confidential and thus that they were not in a position to reveal the substance of the conversation. Furthermore, in the World Bank adviser's e-mail dated 29 January 2009, he advised that: "The Committee may wish to take note that the [International Monetary Fund] fiscal mission was informed at a meeting with one of the winning companies ... in July 2008 that they fully expected to pay their bid premium only once". The adviser continued: "This revelation was surprising to the [International Monetary Fund] mission since it was made some time before negotiation. It suggests that a mindset had been established which was contradictory to the bid documentation".

63. The Panel knows of no further investigations into the fact that the contract terms were changed or whether any individual was identified as responsible for making the changes. The Panel notes with concern that in recent discussions held with two of the three logging companies, both advised the Panel that they will continue to negotiate with the Government to try and modify the payment terms since the companies feel that the payment terms are onerous.

64. As noted in paragraph 50 above, the Inter-Ministerial Concession Committee approved revised bid documents for the next four forest management contracts on 24 November 2008. The Panel has obtained these bid documents and analysed them. The Panel notes that many of the uncertainties regarding financial and technical requirements were revised and made clearer than in the bid documents for the initial three forest management contracts. The improvements included requirements for a two-envelope bidding system, where the first envelope required documents proving specific technical and financial capability and the second envelope contained the company's bid. The new bid documents allowed a bid option of either an annual or one-time payment option, where annual payments would be converted to a current value with a discount factor of 20 per cent.

65. The bid documents also provided very clear guidance to the bid evaluation panel on methodology for evaluating the bids, including categorization of responsive and non-responsive bids in relation to the technical and financial requirements. The modifications should avoid confusion and unclear evaluation practices (see S/2008/785, para. 83). The Panel attended one session of the bid evaluation panel held on 30 April 2009 as an observer and noted that the clear technical and financial requirements contained in the bid documents did appear to be facilitating review of the bids.

66. Regulation 108-07 establishes a general framework for the auction of abandoned logs. The Panel has summarized the Government of Liberia's auctioning of abandoned logs and has explained how there were some decisions made that contravened FDA regulation 108-07. The Panel is in the process of collecting and reviewing documents related to the status of the exports of logs from Buchanan and to the status of the other auctions.

67. In its previous report, the Panel highlighted the issue of payment of stumpage fees on rubber wood and FDA plans to issue a new regulation on class "D" species.

The FDA response to the Panel's previous report indicates that a draft regulation has been developed; this regulation, however, has not been provided to the Panel. The Panel was given an escorted tour of a ship being loaded with 18,000 tonnes of rubberwood chips due to be exported by Buchanan Renewables during a visit to the Buchanan port on 7 May 2009. Société Générale de Surveillance is overseeing export of rubberwood chips and their tags were visible on the sealed, filled hulls.

## C. Impacts of delays in commercial logging

68. Given the current status of the timber sales contracts and forest management contracts, combined with the onset of the rainy season, it is unlikely there will be any further logging activities before the end of the current fiscal year, which runs from 1 July 2008 to 30 June 2009. This situation has serious consequences for FDA revenue projections from the logging sector and the Government of Liberia's poverty reduction strategy, which contained a revenue projection of $24 million from the sector for the 2008-2009 fiscal year and a total of $107 million for the period from 2007-2011. The 2007 annual report of FDA had revised the 2008-2009 projection to just over $16 million. While the 2008 FDA annual report did not contain any revenue projections, the 2007 annual report figure is still far above what the Government will actually collect during the current fiscal year.

69. The Panel notes, however, that the management of FDA continues to provide a very optimistic, though arguably unrealistic, picture of the revenue possibilities for the timber sector. For example, the management report section of the 26 February 2009 FDA Board of Director meeting minutes states that if the four forest management contracts were approved by May 2009, revenue intake in combination with the other three contracts would be around $10 million. This scenario is impossible given the timing of the bid evaluation and due diligence processes.

70. The Managing Director had curtailed his estimate of projected revenue by the 5 May 2009 Liberia Forest Initiative conference call. During the call, he only referred to the possibility of revenue from the first three forest management contacts, noting that if they were ratified before the end of the fiscal year the Government of Liberia would be entitled to collect $2.7 million in land rental fees. This scenario assumes that the companies will be able and willing to pay at this juncture.

71. All of these projections are far greater than the actual current revenues at FDA. As at the end of February 2009, FDA financial statements indicated that it had collected $606,788 in revenue from pit-sawn timber waybills, charcoal permits and abandoned log payments.

72. Besides impacting the implementation of the poverty reduction strategy, the delays and reduced revenues will also impact the functioning of the forestry reform systems themselves. As noted in previous reports, the chain of custody system is a vital part of the transparency and accountability of the forestry sector reforms as it serves to ensure that there is traceability and legality of all logs leaving licensed concessions in Liberia. It also serves to help ensure that revenues from timber felling and export are invoiced and paid. However, the current situation now presents a threat to the functioning of the chain of custody system since there is no revenue intake from stumpage and export fees to pay Société Générale de Surveillance.

73. The Government of the United States of America initially provided a grant of $1.6 million during 2008 to address the anticipated shortfall in revenues but this money will run out in August 2009. At this point, Société Générale de Surveillance calculates a further shortfall of $1 million. It is not yet clear where these funds will come from, although Société Générale de Surveillance has been in discussion with various Governments and multilateral organizations in an attempt to find funding to fill the gap. The Panel will continue to monitor the situation.

## D. Discussions regarding delays

74. Given various delays in the recommencement of commercial logging, a discussion has begun to emerge in Liberia about the need to revise existing laws and regulations. FDA argues in its response to the Panel that it has identified 32 steps in the allocation process and that the requirements are too onerous. The issue was also discussed at the FDA Board of Directors retreat held on 9 February 2009.

75. The Panel is concerned that the emerging discussions within FDA about modifying the National Forestry Reform Law are not based on considered analysis of the requirements for allocating commercial timber concessions and the reasons for delays. While there are undoubtedly elements of the Law that may benefit from revisions in the future, the Panel notes that many of the delays are due to factors other than the 32 steps identified by FDA. While the Panel is still conducting its own assessment of reasons for the delays, the Panel would like to highlight a few obvious examples of delays that are not the result of legal requirements but of other factors.

76. With respect to the six timber sales contracts, many of the delays have been due to the fact that the companies have not been able to fulfil the required financial obligation of $250,000 to proceed with the signing of their contracts. Even the one company that has commenced logging in Grand Bassa County has not been able to move its logs to port for export, reportedly due to financial shortfalls. Additionally, the two timber sales contracts in Gbarpolu County have been delayed due to a question of land ownership (as summarized in previous Panel reports).

77. With regard to the delays in the issuance and ratification of the first three forest management contracts, there are various factors to consider. The motivations of the illegal changes to the bid payment terms discussed above and in the previous Panel report are unknown. Whatever the motivations, the changes did result in the need for protracted discussions by the FDA Board of Directors and the creation of a resolution to revise the contracts. These additional steps delayed the President's signing of the contracts by a minimum of two to three months. Furthermore, those same three contracts were sent to the Legislature in February 2009 and, as discussed above, had still not been ratified as at 5 May 2009. Thus, factors unrelated to the legal requirements of the National Forestry Reform Law have resulted in delays of at least five months, providing the logging companies with no opportunity to commence their operations during the 2008-2009 dry season and fiscal year.

78. The Panel notes a tendency to blame international technical advisers and non-governmental organizations for problems and delays. FDA has accused international advisers, such as the controllers of the Governance and Economic Management Assistance Programme, of attempting to stall the commercial sector and of being responsible for delays in implementation of FDA responsibilities. Even

the Panel was accused of attempting to sabotage the poverty reduction strategy in an e-mail dated 18 December 2008 following the release of its previous report. Non-governmental actors have often been accused of being "unscrupulous consumers of such reports" having an underlying intent to stop commercial logging.

79. As an example of the targeting of international advisers, the FDA Administrative Committee report of 10 February 2009 questioned the motivation of the international technical advisers with regard to the bidding process. The report concluded that: "There is sufficiency of proof that these allegations are directed at fostering the re-tender of the three [forest management contracts] ... thereby undermining and jeopardizing commencement of commercial logging activities". The Panel takes note that the written submissions of the concerned individuals, which were attached as schedules to the Administrative Committee report, do raise the issue of a broader evaluation of the bidding process but that the comments appear to be made as suggestions within the context of serious concerns about the bidding process.

80. The Panel is concerned that this approach to international assistance is affecting the engagement of the international community in the industrial commercial timber sector. In his e-mail dated 29 January 2009 to the FDA Managing Director, the World Bank adviser notes that he has been "instructed by senior management of the [World Bank] to draw back from immediate involvement with such contentious issues in the forestry sector, particularly concerning commercial forestry. This is unfortunate but necessary after the acrimony which arose from my previous involvement during the latter part of last year". The Government of the United States of America is also withdrawing from involvement in the industrial side of commercial forestry, although it will remain engaged in community forestry activities (which can include commercial activities) and there will be no Governance and Economic Management Assistance Programme controller in FDA starting in June 2009.

81. The Panel considers these withdrawals unfortunate given the important role international advisers have played with regard to recommendations to improve the commercial allocation process. For example, the Governance and Economic Management Assistance Programme controller recommended a number of revisions to the FDA strategy for allocating commercial concessions to the Managing Director during November 2008, including outsourcing due diligence and improvements to bid documents. Both the United States Forest Service adviser and the World Bank adviser have noted concerns about unsustainable bids submitted by companies, which could actually result in FDA losing valuable headway in the concession allocation process, and have recommended revisions to the process to resolve the problem.

82. As noted in paragraph 78 above, there has also been criticism of non-governmental organizations. FDA has issued press statements and at least one member of its staff has written articles questioning the motives of those actors. FDA published a public notice in January 2009 in local newspapers that stated that it was no longer necessary for Governments and international non-governmental organizations to continue to support local [non-governmental organizations] to perform forest-related activities without the approval of the Forestry Development Authority (see annex IX). The public notice also advised that all international institutions and Governments wishing to engage the services of non-governmental

organizations had to acknowledge FDA authority. It concluded with the statement that "all future forest-related activity must meet the guidelines of the Forestry Development Authority" and that "failure to comply could result ... [in] administrative actions compatible with the rule of law and good governance".

## E. Update on other issues

83. As noted by the Panel in its previous report, FDA had submitted a draft community rights law with respect to forest lands to the Legislature but there were different versions in existence and a 32-page version had been passed by the Legislature. According to FDA, a working group has currently developed a new 17-page version of the community rights law, which is still in the Legislature.

84. The Panel has previously reported that FDA has drafted a comprehensive framework law for wildlife conservation and protection, as required by the National Forestry Reform Law. FDA is planning to vet the draft during May 2009 according to an update provided by FDA during the Liberia Forest Initiative videoconference held on 5 May 2009.

85. The European Union Forest Law Enforcement, Governance and Trade regulation requires that countries entering into voluntary partnership agreements with the European Union export only certified timber of legal origin. The Panel notes that Liberia has entered into formal negotiations with the European Union. The Panel will monitor this development as it could have very positive implications for the functioning of Liberia's internal controls on the timber sector.

86. The Government of the United States of America will conclude its support of the Liberia Forest Initiative in September 2009.

87. The Panel has concerns about whether the National Forestry Reform Law requirements for access to information are being fulfilled. Non-governmental organizations and community groups complained to FDA in writing in early 2009 that they were not obtaining access to documentation they had requested. The Panel has requested information from FDA on the requirement to create a stakeholders list to keep concerned and interested individuals and groups informed. The Panel will follow up on the issue during the second part of its mandate.

88. The Panel has previously reported on an illegal export of sawn timber, identified on the shipping manifest as scrap metal during March 2007 (see S/2007/340 and S/2007/689). The Panel discussed the case with the Solicitor General on 12 May 2009. He advised that the approval of the shipment by a representative of the Ministry of Justice had been forged by a Ministry of Justice employee named "Kandakar". The Solicitor General further advised that Kandakar forged the name of Cineah Clinton-Johnson, then Deputy Minister of Justice, Administration, on the approval to allow the shipment to proceed. When the forgery was discovered, Kandakar was dismissed from the Ministry of Justice. The dismissal of Kandakar was the end of the matter. The Panel is unclear as to the role of the Ministry of Justice in the issuance of export permits.

89. FDA has recently documented illegal exports of non-timber forest products into Guinea. There have been reports of illegal exports of sawn timber and logs to Sierra Leone and Côte d'Ivoire but the Panel has not obtained any FDA reports that confirm those allegations. Pit-sawing of timber continues in various areas in Liberia.

90. The FDA annual report of 2008 notes that the Internal Audit Unit is responsible for auditing departments and determining compliance with internal control measures. It also notes that the Unit had conducted three audits (FDA checkpoints, Bong Mines Pier and Accounts/General Services Division) but without giving any further details. The Panel has obtained the Bong Mines Pier audit report, which documents the loss of over $28,000 in revenue during the 2006-2007 and 2007-2008 fiscal years due to theft by forestry agents. At least one staff member (the chain of custody manager) has been suspended for two months, although it appears he will be allowed to return to his position.

91. There have been some developments in the area of carbon sequestration since the previous Panel report. As previously reported by the Panel, Liberia was accepted into the Forest Carbon Partnership Facility for Reducing Emissions from Deforestation and Degradation and the Government of Liberia will also soon receive its initial funding.

92. Additionally, the Government of Liberia has been approached by both the Prince of Wales Rainforest Trust and the Government of Norway regarding using carbon sequestration projects to protect and fund the conservation of Liberia's forests as a carbon sink. Discussions are ongoing.

93. The Panel Coordinator observed an interview the Managing Director of FDA had had with *The Sunday Times* on 6 March 2009. During the interview, the Managing Director stated that FDA was proceeding with a pilot carbon study of 400,000 hectares in River Cess County. The Panel made inquiries into the case at FDA and other agencies that would need to provide authorizations for this type of sole-source concession. The Panel's main findings are: (a) it is not clear a certificate of concession was granted; (b) the rationale for this sole-source contract does not appear to fit the requirements of the Public Procurement and Concessions Act; (c) the Governance and Economic Management Assistance Programme controller advised the FDA Managing Director in a memo dated 19 October 2008 that the company's field study was fraudulent; (d) the company's request for a concession had continued to be discussed at FDA Board of Directors meetings for five months thereafter; (e) FDA management sent a letter requesting the sole-source contract to Public Procurement and Concessions Commission prior to the decision by the Board of Directors in their 26 February 2009 meeting that the project be fast-tracked; (f) FDA does not appear to have done any due diligence on the company or financial analysis of the company's proposal prior to requesting approval for a sole-source contract from the Public Procurement and Concessions Commission; and (g) the company's website, accessed in early March 2009, claimed that it already had rights to 500,000 hectares of forest in River Cess County in Liberia.

94. The Panel notes that the Managing Director of FDA advised the Panel in late March 2009 that due to misrepresentation by the company on its website, FDA had advised the Public Procurement and Concessions Commission that it was withdrawing its request for a sole-sourced concession. The troubling question for the Panel is how the proposal had proceeded to the stage it did, given the lack of checks on the company and the warnings given to the Managing Director about the fraudulent nature of the company's study. Unfortunately, the Panel has not been able to discuss the issue with FDA management given the Managing Director's travel schedule in late April and early May 2009, and subsequent illness.

# VI. Information on listed individuals

95. The Security Council asked the Panel to assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists.

96. The Panel has written to Member States requesting background information on initial designations of individuals to assist it in moving forward on collecting up-to-date publicly available information. The Panel has also written the Special Court of Sierra Leone and INTERPOL to inquire about information on designated individuals.

97. The Panel has faced various challenges in obtaining up-to-date information, which has limited the scope of what it has been able to collect. However, the Panel has managed to gather some useful information for use by the Committee in updating its lists, as detailed below.

## A. De-listings

98. The Committee has de-listed two individuals since the Panel's previous report, namely Jenkins Dunbar, former Minister of Lands, Mines and Energy, on 4 December 2008, and Gus Kouvenhoven, on 15 December 2008. There are now 43 individuals on the travel ban list.

## B. Information on designated individuals

99. The trial of former Liberian President Charles G. Taylor before the Special Court of Sierra Leone will now resume on 29 June 2009, in view of the Court's 5 May 2009 dismissing of Taylor's motion for summary dismissal of all charges against him. According to the rules of the Special Court, Charles Taylor will be the first defence witness.

100. Based on correspondence with the Registrar of the Special Court for Sierra Leone, the Panel can confirm that Charles Taylor continues to have telephone contact with other designated individuals. The designated individuals are: Cyril Allen, John T. Richardson (only on the travel ban list), Edwin M. Snowe, Jr., Agnes Reeves Taylor, Jewel Howard Taylor, Tupee Enid Taylor and Benjamin Yeaten. The Panel has written the Registrar again to obtain more specific information on the dates and frequencies of those communications.

101. The Registrar was also able to inform the Panel that on a handful of occasions, Mr. Taylor had discussed political matters with Jewel H. Taylor and Cyril Allen, essentially about the reorganization of the National Patriotic Party.

102. A federal judge in the United States of America sentenced Charles McArthur Emmanuel ("Chuckie") Taylor, Jr., to 97 years in prison related to his conviction on torture, firearms and conspiracy charges related to his tenure as head of the Anti-terrorist Unit in Liberia during the Presidency of his father, Charles G. Taylor. Chuckie Taylor is appealing his conviction.

103. The Panel communicated with United States of America authorities regarding the gathering of information related to a search warrant issued in Monrovia in

June 2008 for Charles Taylor's house during June 2008 in connection with the Chuckie Taylor trial. A United States Assistant District Attorney involved in the case informed the Panel on 2 April 2009 that the search warrant was never executed in Monrovia due to demonstrations at Charles Taylor's house in Monrovia. A Liberia National Police detective advised the Panel on 10 May 2009 that the team had managed to enter the fenced compound on Tubman Boulevard but had then had to retreat due to the demonstrations.

104. On 30 April 2009, Edwin Snowe, along with Gyude Bryant, former Chairman of the National Transition Government of Liberia and three other National Transition Government of Liberia officials were acquitted by a jury of all charges against them in relation to alleged corruption by them while holding public office. The acquittal attracted media comment with respect to the capacity of Liberia to successfully pursue corruption cases.

105. The County Attorney for Montserrado County signed an indictment against Benjamin Yeaton and forwarded it to the Grand Jury (see annex X). The indictment is for the crime of murder, felony in the first degree. Yeaton is charged with violating chapter 14, section 14.1, of the New Penal Law of Liberia. The Government of Liberia alleges that in November 1997 and between 5 June and 8 June 2003, the Defendant deliberately caused the deaths of two Deputy Ministers and a former Minister and members of his family.

106. The Panel has also been able to obtain some further identifiers on designated individuals, including birth dates and places of birth, as well as passport numbers from passports and passport applications provided by the Ministry of Foreign Affairs (see section VII below for more details).

107. The Panel notes that the travel ban and assets freeze sanctions have received considerable press attention in Liberia. Some designated individuals, including Cyril Allen and Jewel Howard Taylor, have been quite vocal about being listed on the travel ban and assets freeze lists.

## VII. Travel ban

108. The Security Council imposed a ban on travel for designated individuals in paragraph 4 of resolution 1521 (2003) to hinder the ability of those individuals to contribute to instability in Liberia and the region. The Security Council renewed those sanctions in December 2008 and has tasked the Panel with monitoring the implementation and any violations of the measure.

109. The Panel has written a number of Member States requesting information related to alleged movements of individuals on the travel ban list. The Panel will compare the responses it receives with a list of all waivers granted by the Committee during the period 2007-2009 so that non-approved travel during the period might be ascertained. The Panel has held discussions with senior officials in the Ministry of Justice regarding the travel ban measure and has pursued obtaining current passport information for Liberians on the travel ban list.

## A. Violations and exemptions

110. The Panel has no confirmed evidence of unapproved travel of designated individuals although many requests to Member States for information regarding alleged travel reported in the Panel's previous report are outstanding. The Panel continues to receive new information about the potential travel of individuals through various contacts in Liberia and elsewhere but still needs to verify most of the information.

111. Since the previous Panel report, the Committee has provided waivers to Edwin Snowe to travel to Ghana from 27 to 30 January 2009 for medical treatment and to Jewel Howard Taylor to travel to Ghana from 25 April to 2 May 2009 for medical treatment. The waiver for Jewel Howard Taylor was modified to cover the period from 10 to 24 May 2009. The Committee has denied other requests for waivers. The Panel will make inquiries with Ghana and Liberia to confirm that the travels were conducted in accordance with the waivers.

## B. Issuance of passports in Liberia

112. During its previous mandate, the Panel had submitted a letter to the Ministry of Foreign Affairs on 13 October 2008, requesting, inter alia, details of passports issued to Liberians who are designated individuals, photographs of those individuals and details on valid passports previously issued to non-Liberian citizens. A response had not been received as at 10 November 2008, when the Panel was completing its previous report.

113. The Chargé d'affaires of the Permanent Mission of Liberia to the United Nations advised the Panel in a letter dated 12 December 2008 that the Ministry of Foreign Affairs had issued passports to two individuals on the travel ban list. The letter noted that they had issued an Economic Community of West African States (ECOWAS) diplomatic passport (No. D-00172) to Edwin Melvin Snowe, valid from 8 July 2008 to 7 June 2010, and a Liberian diplomatic passport (No. D-005717) to Victoria Reffell, valid from 24 November 2008 to 23 November 2010.

114. The Panel wrote a letter on 20 December 2008 to the Permanent Mission of Liberia to the United Nations requesting further details on other passports issued to Liberians and reiterating the request to receive copies of photographs, where available. The Panel met with Deputy Foreign Affairs Minister, William V. S. Bull, and Foreign Affairs Ministry Councillor, Krubo Kollie, on 12 March 2009 to obtain a response to its letter and to ascertain why diplomatic passports had been issued to Mr. Snowe and Ms. Reffell.

115. The Panel was advised that all Liberian passports are issued in Monrovia. The Panel was also advised that the Ministry of Foreign Affairs issues both ECOWAS and Liberian passports and that Liberian citizens are allowed to choose which type of passport they wish to obtain. Deputy Minister Bull advised that every Liberian citizen was entitled to obtain a passport even though, in the case of Mr. Snowe and Ms. Reffell, they would not be entitled to use any passport issued to them.

116. The Panel inquired specifically what level of approval was necessary at the Ministry of Foreign Affairs for the issuance of diplomatic passports and was advised that approval for a diplomatic passport must emanate either from the Minister or a

Deputy Minister. Deputy Minister Bull informed the Panel that any cancellation must be implemented by the Bureau of Immigration and Naturalization, which is supervised by the Ministry of Justice, not the Ministry of Foreign Affairs.

117. The Panel reviewed the passport files for Mr. Snowe and Ms. Reffell during Panel visits undertaken in March and May 2009. In the case of Mr. Snowe, the Panel has ascertained that the Ministry of Foreign Affairs issued a Liberian diplomatic passport, No. 005640, in addition to the ECOWAS diplomatic passport. The latter passport was issued on 10 July 2008, according to the passport delivery roster (see annex XI). No copies of the passports issued to Mr. Snowe were available at the Passport Office in the Ministry of Foreign Affairs; however, the office was able to provide a copy of the application (see annex XII). The Panel notes that the application of Mr. Snowe provides a date of birth as 11 February 1970. His place of birth was Mano River, Grand Cape Mount, Liberia, and his current residence is Elwa Road, Monrovia, Liberia.

118. With respect to the Liberian diplomatic passport issued to Victoria Reffell, the Panel was advised that the application had been submitted by Liberia's Ambassador to Ghana on 22 October 2008. The Panel was advised that the Minister for Foreign Affairs had approved the issuance of the diplomatic passport as per her initial on the Ambassador's letter. The Passport Director provided the Panel with a copy of Ms. Reffell's application for the passport, a copy of her handwritten letter to Minister King-Akerele and a copy of the main passport page (see annex XIII). The Panel notes that Ms. Reffell's date of birth is 11 June 1954, that she was born in Freetown, Sierra Leone, and that she currently resides in Accra, Ghana.

119. The Panel has also obtained information on two other passports issued to designated individuals. The Government of Liberia has issued an official passport, No. D000100, to Jewel Howard Taylor and an ordinary Liberian passport, No. L005941, to Tupee Enid Taylor (see copies of pages from the Passport Office digital database, contained in annexes XIV and XV). Jewel Howard Taylor was born on 17 January 1963 in Zorzor, Lofa County, Liberia. She currently resides in Congo Town in Monrovia, Liberia. Tupee Enid Taylor was born on 17 December 1962 in Harbel, Margibi County, Liberia, and currently resides on Old Road, Sinkor, Monrovia.

## D. Potential international assistance to improve implementation

120. The Panel wrote to the Special Representative of INTERPOL to the United Nations on 19 February 2009 requesting information on designated individuals in follow-up to a meeting with the Special Representative and other INTERPOL staff in New York on 13 February 2009. In a reply dated 27 March 2009, the Special Representative stated that INTERPOL had compared the lists of designated individuals and entities against INTERPOL databases and had determined that it did have information on six individuals and four entities.

121. In accordance with INTERPOL rules, the INTERPOL officials indicated that they had sent a message to all the member countries, which provided information on the individuals/entities, in order to confirm that they had no objection to the sharing of the information with the Committee and to verify that they had the most up-to-date information. In a follow-up meeting held on 17 April 2009, the INTERPOL officials advised the Panel that they would forward information as soon as they had

received responses from the relevant countries. INTERPOL informed the Panel on 12 May 2009 that it had received replies from the relevant countries and would respond within two weeks with the findings.

122. In response to a request from the Panel about exploring the usage of the INTERPOL notice system, INTERPOL informed the Panel that INTERPOL could issue, at the request of the Committee, an INTERPOL-United Nations Security Council special notice to alert law enforcement authorities worldwide about an individual who is subject to United Nations sanctions. Such notices may be issued only for persons for whom there is sufficient identifying information, such as the last name, first name, date and place of birth and gender. INTERPOL expressed its interest in, and intention to, collaborate with the United Nations.

# VIII. Assets freeze

123. Pursuant to its mandate to assess the impact and effectiveness of the assets freeze sanction, the Panel has undertaken investigations both within and outside of Liberia. Within Liberia, the Panel has focused on the identification of assets of designated individuals and determining whether the Government of Liberia is willing and able to act on the assets freeze sanction. The Panel has collected various records and data to determine the extent of assets in Liberia and has provided this information to the Government of Liberia so that the Government can act in accordance with resolution 1532 (2004).

124. Internationally, the Panel has focused on continuing to trace assets in order to identify where money has flowed and whether it is being frozen by Member States. Towards this end, the Panel has written to a number of Member States to request access to bank records and other information and has met with a number of permanent missions to the United Nations.

## A. Real estate holdings in Liberia

125. On 18 March 2009, the Panel made inquiries as to the information currently available at the Ministry of Finance that would facilitate implementation of the asset freeze, including real estate taxation records and business taxation records. The Deputy Minister of Revenue advised that all real estate taxation was handled solely by the Ministry of Finance, not at the municipal government level. However, the extent of record keeping, as required by the Revenue Code, was deficient, particularly outside Monrovia and Montserrado County. Furthermore, the requirement to file schedules of real estate holdings was not currently being enforced. The Ministry of Finance maintains tax identification numbers only for businesses. The Ministry of Finance also maintains a Large, Medium and Small Tax Unit.

126. With respect to the records maintained for real estate taxation, the Principal Director of Property Taxation showed the Panel the storage room where earlier paper records are kept. Obtaining reliable historical information from the paper records is a significant challenge. However, the Director advised the Panel that the Real Estate Tax Unit has created a current database showing details of land ownership for Montserrado County. The Panel was provided with a disk containing

the database for all property tax records in Montserrado County. The database for land ownership in Montserrado County is divided into 19 zones, with each zone having a separate field for residential, commercial, industrial and vacant land.

127. With respect to Ministry of Finance real estate records outside of Montserrado County, the Panel was advised that there was no existing database. The Panel was told that representatives of the Ministry of Finance must ask property owners to register for assessment purposes and compliance in doing so had been limited.

128. Using the real estate database, the Panel has prepared a list of real estate owned by Charles Taylor, Jewel Howard Taylor, Benoni Urey, Edwin M. Snowe, Cyril Allen, Jr., and Emmanuel Shaw (see annex XVI).

129. One of the most significant properties listed is Wulki Farm in Careysburg, Montserrado County (see annex XVII). The Panel was told that "Wulki" is the name of Benoni Urey's daughter. This property has an assessed value of $1,539,800.00. From the Panel's enquiries, the property at least provides economic resources to Urey through a constructive ownership structure. On 10 May 2009, Benoni Urey confirmed to the Panel that the farm, which he claims is held in trust in the family, has various revenue streams.

130. Benoni Urey also owns real property in Monrovia's Sinkor district, now being developed as commercial real estate. The listing from the Ministry of Finance real estate property database shows Urey as owner of commercial real estate in Sinkor district, with an assessed value of $389,000.

131. Charles Taylor is shown as owner of two commercial properties in Sinkor district, with combined assessed value of $213,300. It is common knowledge that this is Charles Taylor's property. The Panel inspected the real estate property on Tubman Boulevard in Monrovia's Sinkor district identified as being owned by Charles Taylor.

132. Jewel Howard Taylor is listed as owner of four residential parcels in Monrovia's Sinkor district, with a combined assessed value of $182,800. Cyril Allen is recorded as the owner of commercial real estate in Monrovia's Sinkor district, with an assessed value of $65,300.

133. Edwin Snowe is the largest owner of real property in Montserrado County, in terms of both commercial and residential properties, among those listed on the assets freeze list. Snowe is recorded as the owner of 20 separate parcels of land in Central Monrovia, Paynesville district, Sinkor district and Congo Town district, having a combined assessed value of $1,269,400.

134. Emmanuel Shaw is recorded as a real estate taxpayer with a property tax bill for taxes on buildings far in excess of what Charles Taylor, Jewel Taylor or Edwin Snowe pay for property taxes, indicating real estate owned by Shaw. However, Mr. Shaw's properties are not listed in the database provided the Panel.

135. With regard to areas not covered by the database, the Ministry of Finance Revenue Agent in Kakata, Margibi County, advised the Panel that Cyril Allen and Benoni Urey both own real estate in Margibi County. Finance officials in Kakata have no information on the value of Allen's farm (see annex XVIII).

136. The Revenue Agent advised the Panel that Mr. Urey's property in Margibi County is a rubber plantation between Kakata and Gbarnga and proximate to

Mr. Allen's property. The Panel was further advised that this is one of the top 10 properties in Margibi County, comprising approximately 1,000 acres, of which approximately 400 acres are developed. The Panel was further advised that Mr. Urey paid $100,000 for the property, which was bought while Taylor was still President of Liberia. Mr. Urey confirmed in a meeting with the Panel on 10 May 2009 that he had purchased a rubber factory in the rebel-held area.

137. Ministry of Finance officials have advised the Panel that neither Mr. Allen nor Mr. Urey have registered their real estate in Margibi County, although they have been asked to do so.

## B. Corporate holdings in Liberia

138. The Panel has investigated ownership of companies alleged to be owned by designated individuals and has uncovered a number of important facts regarding both Lonestar Communications Corp and PLC Investments.

### Lonestar Communications Corp

139. Lonestar Communications Corp ("Lonestar") has been mentioned over the years as a source of funds for Charles Taylor and other designated individuals on the assets freeze list. The Panel has obtained and reviewed the certified audits for Lonestar over several years. These audits state that the Board of Directors has typically consisted of five members, two of whom are Benoni Urey (as Chairman) and Emmanuel L. Shaw, II.

140. The Panel obtained a shareholders agreement dated 3 June 2000 for Lonestar. The agreement outlines the principal terms between Investcom Global and PLC Investments for the operation of Lonestar. The shareholders agreement dated 3 June 2000 is signed for PLC Investments by Benoni Urey and Emmanuel L. Shaw, II. The agreement describes the ownership of Lonestar as 100 per cent owned by PLC Investments up to the agreement date, upon which date PLC Investments sold 60 per cent ownership to Investcom Global. The shareholders agreement states that three members of the board shall represent Investcom Global and two members shall represent PLC Investments, with the Chairman to be elected by the five board members.

141. Lonestar's corporation income tax returns for the periods from 1 January to 31 December 2006 and 1 January to 31 December 2008 disclose Lonestar share ownership as Investcom (60 per cent shareholders) and PLC Investments (40 per cent shareholders). A summary of dividends paid out by Lonestar for 2003 ($1.5 million), 2004 ($3 million), and 2005 ($8 million) similarly shows that Lonestar is comprised of 60 per cent Investcom Global "non-resident" shareholders and 40 per cent PLC Investments "resident" shareholders.

142. The connection and history of Lonestar with regard to Charles Taylor, Benoni Urey and Emmanuel Shaw is also explained through the testimony of Moses Blah during an interview with the Truth and Reconciliation Commission held on 12 February 2009. In the interview, Mr. Blah stated that: "I was Vice President of Liberia at the time. When Lone Star Community (sic) Company started, it was Emmanuel Shaw who owned Lone Star Company registered with the Government." Mr. Blah testified that: "He [Shaw] had started talking to the President about

bringing aircrafts from Nigeria to run as Lone Star, but out of the sudden, they brought this communication company." Blah continued by stating that: "I went to my President. I said, Chief, I have some friends who want to establish Cell Phone Company. He said, 'You can't do that to me Moses ... this Lone People had bought their speakers and trucks for our fighting men and so we cannot allow more than two Cell Phone companies'." Mr. Blah's testimony also notes that "it was Benoial (sic) Urey, Emmanuel Shaw, Charles Taylor who had the shares amongst themselves; I don't know how much they getting each as a share."

**PLC Investments**

143. The Director of the Medium Tax Unit at the Ministry of Finance informed the Panel that PLC Investments is owned by Benoni Urey and Emmanuel Shaw. However, documents obtained from the Ministry of Commerce show that PLC Investments was owned by IDS and Nexus Corporation. Articles for PLC Investments dated 3 July 1989, show that all of the company's shares "shall be bearer shares". The articles were signed by Gray T. Harmon as incorporator. A letter dated 12 May 2005 from Kaya McCrownsey Tue, as Register Agent (sic), applied for a business registration certificate "to renew my company".

144. The Panel discovered two types of filings at the Ministry of Finance. First, a form filed with the Income Tax Division listed Benoni Urey and Emmanual Shaw as recipients of $18,000 each from PLC Investments for calendar year 2001. Second, the tax records for PLC Investments include monthly payroll declarations for 2001 and 2006, which show Emmanuel Shaw and Benoni Urey as paid employees. Lower-paid employees include: Kaya Tue, with an annual salary in 2006 of $5,400; Comfort Barrolle, with an annual salary in 2006 of $5,400; and Joseph Reeves, with an annual salary in 2006 of $1,800.

145. The Panel's review of Lonestar account records obtained under search warrant from Ecobank disclose the following total payments to the three junior-level employees of PLC Investments during the period from June 2007 to July 2008:

- Kaya McCrownsey Tue received four Lonestar checks, each for $250,000, between 7 June 2007 and 5 July 2007;
- Comfort Barrolle received eight Lonestar checks, totaling $1,050,000, between 5 September 2007 and 13 February 2008; and
- Joseph Reeves received 11 Lonestar checks, totaling $1,218,808, between 7 April and 8 July 2008.

These payments total more than $3.2 million between the period June 2007 and July 2008.

146. A search warrant issued on 22 April 2009 to trace the disposition of the $3.2 million disclosed that each cheque was cashed and the money left Ecobank as cash. An examination of Kaya Tue's account at Ecobank discloses no such sums being deposited into her account. An examination of Comfort Barrolle's account at International Bank similarly discloses no such sums being deposited to her account.

147. Disclosure of bank records showing activity through the PLC Investments account at the Liberian Bank for Development and Investment was blocked by an interim order made in a court motion filed by PLC Investments, Benoni Urey and Emmanuel Shaw, in the 6th Judicial Circuit Court, Monrovia. The formal decision

of the 6th Judicial Circuit Court whether to release the bank records was argued in March 2009 and a decision was handed down on 3 April 2009, which essentially referred the entire matter to the Supreme Court of Liberia. This case should be heard during the October 2009 term.

**Investcom Global**

148. The shareholders agreement mentioned above states that Investcom Global is incorporated in the British Virgin Islands. The address used by Investcom Global for its official notice is in Beirut, Lebanon.

149. The Panel obtained records from the British Virgin Islands which show that Investcom Global is owned 100 per cent by Investcom Holdings (Luxembourg) S.A. Investcom Holdings was incorporated in the British Virgin Islands on 24 January 2000, five months preceding its purchase of its interest in Lonestar. Its Registered Agent is Belmont Trust Limited, located at the Tropic Isle Building, P.O. Box 3443, Road Town, Tortola, BVI, and it lists its sole owner as Li Lin Foong, 59 Jalan Terasek, Bangsar Baru, Kuala Lumpur 59100, Malaysia. Investcom Holdings is registered in the Grand Duchy of Luxembourg and operates communications companies in Lebanon, Egypt, the Syrian Arab Republic, Ghana, Yemen, Guinea, the Republic of the Congo, Benin and Morocco. The Panel notes that some of the business holdings of the designated individuals are, at the least, a source of economic benefit.

## C. Status of implementation of the assets freeze in Liberia

150. In addition to documenting assets in Liberia, the Panel has continued to examine the ability and willingness of the Government of Liberia to implement the assets freeze sanctions.

**Government legal framework**

151. During its previous mandate, the Panel requested the opinion of the Liberian Minister of Justice as to whether the Government of Liberia could act to freeze assets. On 11 December 2008, the Panel received a response from the Minister of Justice and Attorney General, Philip Banks, in the form of a letter delivered via the Permanent Mission of Liberia to the United Nations while the Panel was in New York. The letter outlined the position of the Government of Liberia in its compliance with resolutions 1521 (2003) and 1532 (2004). In the letter, Minister Banks states that the efforts designed by the Government of Liberia had surpassed those prescribed in the United Nations resolutions. Minister Banks stated that the Government of Liberia's efforts "sought to address not only the matters relating to persons stated on the United Nations list, but any person whom it had determined had engaged in corrupt acts or indulge[d] in corruption, and had thereby illegally removed or diverted States resources, including with impunity, to the detriment of the Liberian Nation and its people".

152. In his letter, Minister Banks also states: "The failure to freeze such property works not only to the detriment of the Government, but also to the detriment of the State and its very Citizens which the Constitution states it is designed to protect." The Minister argues that "in matters of corruption, the seizure of assets until the conclusion of the matters as would ensure that illegally gained wealth is not

disposed of pending the final outcome that establishes illegality in the gaining of the wealth violates no person's right." The Minister then states that "the Government of Liberia is now pursuing a course as would ensure compliance with the mentioned resolutions is adhered to", and that the Government "is now positioned, and it anticipates that with a few days, it will be in the position to pursue a course that would enable it to be in compliance with the mentioned Resolution."

153. On 12 March 2009, the Panel met with two deputy ministers, one of whom is Legal Counsellor, at the Ministry of Foreign Affairs with respect to Liberia's stance in taking legal action to freeze assets. Both deputy ministers responded positively that Liberia was prepared to take such action, including the filing of civil lawsuits outside Liberia.

154. On 13 March 2009, the Panel met with Minister Philip and a deputy minister to discuss, among other matters, Liberia's preparedness to act on the assets freeze requirements of resolution 1532 (2004). Minister Banks advised the Panel that Liberia would indeed pursue legal action to freeze assets and that such action included Liberia being a plaintiff in legal proceedings brought outside Liberia. Minister Banks further advised the Panel that (a) in his view, the appropriate mechanism to freeze assets in Liberia would now be pursuant to Liberia's new Anti-Corruption Commission Act; and (b) he had provided a written opinion to the President with respect to the efficacy of the Anti-Corruption Commission Act to implement asset freezes. Minister Banks further advised that the Ministry of Justice was empowered to take assets freeze action directly, in view of the Anti-Corruption Commission not being fully operational. During the meeting, the Panel asked the Minister specifically if he would freeze assets if provided with a list of assets in Liberia. He replied: "I believe we would."

155. The Minister has provided the Panel with a copy of his letter dated 17 December 2008, with which he enclosed a draft executive order for an assets freeze for consideration by the President. The letter states in part: "We believe that the authority granted by the Anti-Corruption Commission Act, coupled with that granted under the [African Union] and [United Nations] Conventions ... the avenue is cleared for the freezing of assets of persons being investigated or charged with acts of corruption." The Panel notes that both the African Union and the United Nations conventions on corruption have been ratified by the National Legislature, approved by the Executive branch of the Government and published in handbills. The Anti-Corruption Commission Act itself was passed by the Legislature on 21 August 2008. However, the Panel notes that the Anti-Corruption Commission Act, by virtue of section 5.2, provides for the Anti-Corruption Commission to investigate all acts of corruption discovered or reported "to have occurred ... subsequent to the passage of this Act ..." and thus would appear to undercut the ability of the Government of Liberia to use the Act to freeze the assets of those on the assets freeze list.

156. During its investigations, the Panel has been advised that prospective title transfers from designated persons could be blocked upon a caveat being filed with the Probate Court. At the Panel meeting with the Minister of Justice on 13 March 2009, the Minister indicated that he would proceed with recording caveats with the Probate Courts against those persons currently listed on the assets freeze list. The Panel considers the filing/registration of such caveats with the Probate Court — especially for Montserrado and Margibi Counties — as a vital step in preventing

real estate assets from being transferred by these persons. However, the filing of this caveat has not taken place.

157. On 16 April 2009, the Panel sent a letter to the Permanent Representative of Liberia to the United Nations noting that the Government of Liberia had advised the Panel that it would be willing to undertake action on the assets freeze list if provided information on assets within Liberia. The Panel letter provided the information it had collected on bank accounts, real estate holdings and company ownership/benefits and requested confirmation by 30 April 2009 that those assets had been frozen. The Panel also provided the information to the Minister of Justice in a by letter dated 20 April 2009. As of the writing of the present report no such action has been taken.

158. The letter and related correspondence between the Permanent Mission of Liberia to the United Nations and the Government of Liberia, was leaked to *Front Page Africa*. The material subsequently came into the possession of a wider circle of local media in Monrovia and generated news reports regarding the Panel setting a 30 April 2009 deadline for Liberia to act on the assets freeze. Some articles questioned the motivation of the Panel as well as the President's willingness to freeze assets.

159. Some of the articles also referenced a plan to recover stolen assets and the Panel's potential role in this proposed work. By a letter dated 11 May 2009, the Panel informed the Permanent Representative of the Permanent Mission of Liberia to the United Nations that while there was scope within the Panel's mandate for assisting the Government of Liberia in the area of assets tracing and freezing, the scope of the mandate did not extend to the area of assets recovery. The Panel reiterated its finding both in terms of a legal analysis indicating that a legal framework for freezing assets in Liberia did exist and of its identification of assets within Liberia belonging to individuals on the assets freeze list. The Panel also indicated that it looked forward to receiving written confirmation regarding the freezing of the assets.

160. On 16 May 2009, the Panel met with Minister of State Edward McClain. During the meeting, Dr. McClain assured the Panel that the President wanted to act to freeze the assets of designated individuals. He stated that they had wrestled with the political challenges of doing so in Liberia, given the current context and the power of some individuals, but were determined, nonetheless, to move forward. The Panel reiterated to Dr. McClain that any proposal for assets recovery was not within the Panel's mandate.

## D. International tracing of assets: Oriental Timber Company

161. The Panel is currently investigating any related party connections between designated individuals, and the officers and directors and shareholders in the appropriate country as pertains to their being recipients of Oriental Timber Company monies. China, Indonesia, Singapore, Switzerland and the United Kingdom of Great Britain and Northern Ireland (including Jersey) have all cooperated with the Panel.

162. Oriental Timber Company was the largest timber concessionaire in Liberia during the Charles Taylor regime. Joseph Wong Kiia Tai was the General Manager

of Oriental Timber Company and is a designated individual. Companies linked with the Oriental Timber Company, Charles Taylor and/or Joseph Wong, include Borneo Jaya Pte Ltd., located in Singapore.

163. Borneo Jaya Pte has wired large sums of monies around the world on behalf of Oriental Timber Company and Charles Taylor. Its former name was Borneo Timber Limited. Borneo Jaya Pte has registered its ownership in the British Virgin Islands. Borneo Jaya is owned by Excellent Services Finance Limited and Quick Earnings Finance Limited, both incorporated in the British Virgin Islands.

164. In the fiscal year ending on 30 June 2001, Borneo Jaya formed the British Virgin Island companies and reported such investments on its balance sheet, at a book value of $100,000. By the end of that fiscal year, Borneo Jaya had paid over $62 million on behalf of Business Associates, and in the following 12 months it had paid off $60 million owed to related parties. However, according to the audit report by Heng Lee Seng & Co. for the fiscal year ending on 30 June 2002, it was reported that Borneo Jaya owned various barges and tugboats, at a minimum value of $1,855,964.

165. Oriental Timber Company was also linked to Natura Holdings. Natura Holdings is owned by Extra Mile Investments Limited, also registered in the British Virgin Islands. The owner of that company is also a director of Global Star Trading Limited, which used to buy wood from Oriental Timber Company and import to the Asian market. Global Star was bought by Sky Success Shipping Limited, another British Virgin Islands company.

166. The Panel submitted a detailed request to the Mission of Singapore to the United Nations and has received cooperation from the appropriate authorities. A mission to Singapore has been tentatively scheduled to review financial records and conduct interviews.

# IX. Arms embargo

167. In its resolution 1854 (2008), the Security Council renewed the arms embargo on Liberia and requested the Panel to investigate and report on the implementation, and any violations, of the measures referred to in paragraph 2 of resolution 1521 (2003). The Panel held meetings and consultations with relevant stakeholders in Liberia, Sierra Leone and the United States to discuss the arms embargo and the status of exemptions granted by the Committee.

## A. Arms embargo

168. During the period covered by the present report, the Panel has not found any concrete evidence of major violations or attempted violations of the arms embargo. However, the Panel is currently conducting investigations into a few items that have come to its attention.

169. From 1 January to 30 April 2009, UNMIL forces discovered and disposed of approximately 15 weapons, 4,500 rounds of ammunition and 100 unexploded ordnances, according to UNMIL statistics. Unfortunately, information such as serial number, year of manufacture and origin does not appear in the reports reviewed by

the Panel, and the Panel has therefore requested further documentation from UNMIL to assist in investigating the origin and the year of manufacturing. Such data would be of prime importance to trace the weapons and ammunition used during the conflict and whether there are potential violations of the arms embargo.

170. The ammunition and weapons discovered by UNMIL are mainly unserviceable and are of well-known types commonly employed during the conflict. However, the Panel notes that there have been some significant volumes of serviceable 7.62x51 mm ammunition found. Additionally, the Panel notes that the discovery of 5.56 mm ammunition requires attention. On 11 April 2009, when military observers were conducting a patrol, the Voinjama Liberia National Police reported that a resident of Bakadu, Voinjama District (near the Guinean border), had found 850 rounds of 5.56 mm ammunition buried in the forest near the town. The military observers inspected the ammunition and found that all were usable and in perfect condition. Neither weapons that would use this ammunition nor ammunition of this type have been reported in previous Panel reports or during the disarmament process. The Panel's investigation is ongoing.

## B. Status of exemptions to the arms embargo

171. Regarding exemptions provided to the Government of the United States for delivery of weapons for the Armed Forces of Liberia, the shipment of arms from the Government of Romania, mentioned in the Panel's previous report (see S/2008/785, paras. 177 and 178), was for the Armed Forces of Liberia and not for the Emergency Response Unit and is being stored at the Armed Forces of Liberia armoury at the Edward Binyah Kesselly Barracks and not at the Jordanian formed police unit compound.

172. On 23 February 2009, a special flight arrived at Roberts International Airport with the second and final shipment of weapons and ammunition for the Emergency Response Unit approved by the Committee on 13 August 2008 for delivery of materials from the United States. The consignment arrival was monitored by staff of DynCorp, the Emergency Response Unit, the United Nations Police Firearms Inspection Unit and officers of the Liberian National Police. The items were transported under escort to the storage facility at the Jordanian formed police unit compound located in Monrovia. Some of the Emergency Response Unit weapons have been turned over to the Government of Liberia and are housed at the armoury at Liberian National Police headquarters. The rest remains property of the Government of the United States of America. This is the only reported shipment for 2009.

173. In paragraph 1 (b) of resolution 1792 (2007), the Security Council required exporting States to notify the Sanctions Committee upon delivery of exempted arms and related materiel. The first such notification was provided by the Government of the United States of America to the Committee on 13 March 2009 for the above-mentioned delivery.

174. On 30 April 2009, the Panel visited the armoury of the Emergency Response Unit at Liberian National Police headquarters in Monrovia. The Panel noted the presence of 30 Bushmaster M4A2 rifles, 10 Mossberg 500 shotguns, 15 Bushmaster Carbine C15 rifles and 75 Smith & Wesson pistols. All weapons were marked and an inventory was being maintained by the armoury. The ammunition and the weapons

were not stored separately, pending completion of the armoury currently under construction. The separate storage is an important requirement for security reasons. The materiel conformed to the exemptions granted by the Committee to the Government of the United States of America to equip and train the Emergency Response Unit. The Panel has also verified the presence of the rest of the shipment stored at the Jordanian formed police unit compound, also visited by the Panel on 30 April 2009.

175. Accompanied by Colonel A. L. Rumphrey, Chief of the Security Cooperation at the United States Embassy in Monrovia, the Panel visited the Edward Binyah Kesselly Barracks of the Armed Forces of Liberia 23rd Infantry Brigade on 13 May 2008. The Panel was able to inspect the arms and ammunition received under the exemptions granted by the Committee to the United States on 25 August 2005 and 10 March 2007. The Panel has requested a copy of the registries and inventories for those weapons and ammunitions.

176. On 15 May 2009, the Panel visited the armoury of the Special Security Services at the Executive Mansion in Monrovia. Some weapons were not present as they had been signed out by officers. The Panel noted the presence of Bushmaster XM15 rifles, Colt M4 rifles, Smith & Wesson revolvers, Glock G17 pistols, Type 56 sub-machine guns, Type 92 pistols and related ammunitions. It noticed confusion in the registries between the Bushmaster XM15 and the Colt M4 type rifles. The panel has requested a copy of the registries and inventories for those weapons and ammunitions and will be checking conformity with the exemptions granted by the Committee.

177. Pursuant to resolution 1683 (2006), UNMIL undertakes inspections of weapons and ammunition brought into Liberia under exemptions granted by the Committee. The United Nations Police Firearms Inspection Team regularly inspects the Special Security Services and Liberian National Police armouries. In May 2009, the United Nations Police Firearms Inspection Team conducted the first inventory of the recently delivered Emergency Response Unit weapons and ammunition.

178. The Panel notes that UNMIL has not been inspecting the weapons and ammunition brought into Liberia to train and equip the Armed Forces of Liberia. The Panel has discussed the issue with officials at both the United States Embassy and at UNMIL and all parties have no objection to the inspections. The Government of the United States of America has requested advance notice of inspections, given the double-entry system at the Armed Forces of Liberia armoury.

179. Additionally, pursuant to resolution 1683 (2006), the Government of Liberia is required to mark all weapons imported under granted exemptions. The Panel notes that all weapons have been marked, but that the import marking system complies neither with the ECOWAS Convention requirements nor the recommendations of the International instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, adopted by the General Assembly on 8 December 2005 (see General Assembly decision 60/519).

180. Two additional exemptions have been granted by the Committee during the current calendar year. These are for:

(a) A 23 March 2009 approval of a request by the Government of the United States of America for weapons, ammunitions and protective equipment to equip and train the Special Security Services (see annex XIX);

(b) A 1 April 2009 approval of a request by the Government of the United States of America for arms, ammunition, communication equipment to equip the Armed Forces of Liberia (see annex XX).

These exemptions have not yet been delivered to Liberia.

## C. Capacity of the Government of Liberia to control arms

181. In addition to the requirements concerning marking weapons imported under granted exemptions, in its resolution 1683 (2006), the Security Council also required the Government of Liberia to maintain a registry and to inform the Committee when it was completed. In order to verify whether this step has been undertaken for all imported weapons, the Panel delivered letters on 8 May 2009 to the Ministry of Justice, the Ministry of Defence, the Special Security Services, the Liberian National Police Panel and the Armed Forces of Liberia. The Panel has recalled that for all weapons brought into Liberia under an exemption, the Government of Liberia will mark the weapons and ammunitions, maintain a registry of them and inform the Committee that the steps have been taken. The Panel has requested copies of the registries and inventories for those weapons and ammunitions.

182. The Panel notes with interest that on 5 May 2009 the plenary of the lower house of the National Legislature ratified the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials in the subregion. However, it must also be passed by the upper house (senate) before the Convention becomes part of Liberian law.

183. In 2004, the Government of Liberia ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, which entered into force on 3 July 2005. By ratifying the Protocol, Liberia made a commitment to adopt a series of crime control measures and implement in its domestic legislation three sets of provisions: the first, establishing criminal offences related to illegal manufacturing of or trafficking in firearms on the basis of the Protocol requirements and definitions; the second, setting up a system of government authorizations or licensing, to ensure legitimate manufacturing of and trafficking in firearms; and the third, relating to the marking and tracing of firearms.

184. The draft law on firearms ("Fire Arms Control Act") has been pending since 2006. Because Liberia has yet to enact this legislation, all the legal framework for small arms and light weapons import, export, transit licensing or authorization systems does not exist. Based on a recent indictment in a weapons offence case (May 2009), it appears that Liberia relies solely on an old provision in the Penal Law (section 17.11 of chapter 17) with respect to possession of a "physical object" having "lethal uses".

185. According to the 2008 report provided by the Government of Liberia to the United Nations Office for Disarmament Affairs on the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, the general mandate of the Liberia National Commission on Small Arms should consist of formulating and ensuring the implementation of policies and measures aimed at addressing the

problem of small arms proliferation and illicit trafficking; and coordinating and monitoring all private and public sector efforts to prevent, combat and eradicate the proliferation and illicit trade in small arms and light weapons within and across the borders of Liberia.

186. The creation of a comprehensive national action plan to control small arms and light weapons in Liberia has not yet occurred. The National Commission has advised the Panel that it has conducted quarterly meetings with all stakeholders involved in defining and conducting a policy aimed to control small arms and light weapons in Liberia. The Panel has unsuccessfully asked for the minutes of the meeting and the list of participants.

# X. Recommendations

187. The Panel has a number of recommendations regarding its findings in the first part of its mandate. Its recommendations from its previous reports also remain important.

**Natural resources: diamonds and timber**

188. The Panel recommends that the Security Council continue to mandate UNMIL to provide assistance to the Government of Liberia in re-establishing proper administration of its natural resources and authority in mining and forestry areas.

189. The Panel recommends that the Government of Liberia continue to strengthen its internal controls for diamond mining and trading and continue its collaboration with both the Kimberley Process and neighbouring countries to ensure that sanctioned rough diamonds from Côte d'Ivoire do not enter Liberia and be exported as Liberian diamonds. The more specific recommendations made by the Panel and the Kimberley Process in 2008 can help the Government in this regard.

190. The international community should prioritize long-term training programmes for middle- and junior-level managers at FDA to help ensure the development of long-term capacity and change in organizational culture. Alternatively, it could assist with the recommendations contained in paragraphs 191 and 192 below.

191. Given the ongoing challenges of implementing the National Forestry Reform Law, it may be timely for the Government of Liberia to consider options for a management contract for FDA, as originally recommended by the Forest Concession Review Committee in its final report of 2005.

192. To increase transparency, the Panel recommends that FDA prioritize the development of its stakeholder list, the updating of publications and documents available on its website and the creation of an archive room where the public can access information.

**Information on designated individuals and entities**

193. Given the difficulty of obtaining information on some individuals — especially those not located in Liberia — the Panel recommends that the Committee develop a plan for updating the publicly available information on individuals and communicate with the Panel on how it can best assist the Committee. The Panel suggests that it is best able to provide information on those individuals in Liberia

but could also assist in obtaining information on key individuals through its contacts and travel to select destinations in the region and elsewhere.

**Travel ban**

194. The Panel is of the view that implementation of the travel ban could be particularly enhanced through collaboration with organizations such as INTERPOL. The Panel recommends that the Committee undertake further discussions with the Special Representative of INTERPOL to the United Nations about using the special notices to improve knowledge about — and implementation of — the travel ban sanction.

195. The Panel recommends that the Government of Liberia may wish to consider retaining in escrow by the Ministry of Foreign Affairs any passport issued to those on the travel ban list and that these be delivered to the applicant for the passport only when these individuals are no longer subject to travel restrictions or when they have a valid waiver for travel provided by the Sanctions Committee.

**Assets freeze**

196. The Panel recommends that the Security Council begin to consider whether and how to make available to the Government of Liberia assets frozen pursuant to resolution 1532 (2004). However, the Panel recalls that, in paragraph 6 of the resolution, the Council stated that it would consider that step only once the Government of Liberia had established transparent accounting and auditing mechanisms to ensure the responsible use of Government revenue to benefit directly the people of Liberia.

197. Given the long-term needs of Liberia in the area of rule of law, the Panel recommends that the international community continue to provide assistance to Liberia to help build its capacity in the rule of law, including the ability to build cases in its fight against financial corruption, unjust enrichment and fraudulent activities.

198. The Panel considers the filing/registration of such caveats with the Probate Court — especially for Montserrado and Margibi Counties — as a vital step in preventing real estate assets from being transferred by these persons. However, the filing of this caveat has not taken place.

**Arms embargo**

199. The Panel recommends that the UNMIL firearm inspection team start conducting regular inspections of the weapons, ammunition and related materiels imported under exemption to the arms embargo for training and equipping the Armed Forces of Liberia.

200. Considering the increasing number of weapons and ammunition entering the country under exemptions, the Panel recommends that the Liberian National Commission on Small Arms, in addition to its current mandate, implement a national registry of small arms and light weapons, as required by the ECOWAS Convention, to ensure effective monitoring of all imports of weapons into Liberia.

201. The Panel also recommends that the Government define an import marking system that is in accordance with ECOWAS requirements, defines responsibilities and modalities for implementation and ensures that the system is efficiently implemented.

# Annex I

## Meetings and consultations held by the Panel of Experts

**Guinea**

*Government*
Ministry of Foreign Affairs; Ministry of Mines; National Gendarmerie; Bureau national d'evaluation (des diamants); Customs authorities

**Liberia**

*Government ministries and agencies*
Ministry of Commerce; Ministry of Finance; Ministry of Foreign Affairs; Ministry of Justice; Ministry of Lands, Mines and Energy; Ministry of Planning and Economic Affairs; Ministry of State; Bureau of Customs and Excise; Environmental Protection Agency; Forestry Development Authority; General Auditing Commission of Liberia; Liberian National Police; National Port Authority; Public Procurement and Concession Commission; Truth and Reconciliation Commission; Liberian National Commission on Small Arms; Liberia Extractive Industries Transparency Initiative

*Multilateral/international organizations*
United Nations Development Programme; United Nations Mission in Liberia; World Bank

*Diplomatic missions*
French Embassy, United Kingdom political mission, United States Embassy

*Non-governmental organizations and the private sector*
Arcelor Mittal; Buchanan Renewables; ECHO; EJ&J Investments; Equatorial Biofuels; Green Advocates; Justice and Peace Commission; Liberian Tree and Trading Company; Société Génerale de Surveillance; Sustainable Development Institute; Liberian Action Network on Small Arms; International Committee of the Red Cross

**Sierra Leone**

*Government*
Sierra Leone Police; Immigration Department (Ministry of Internal Affairs); Customs Department (National Revenue Authority)

**United States of America**

*Government*
Department of State; United States Geological Survey; Treasury Department; Office of Foreign Assets Control

*Multilateral organizations*
INTERPOL; United Nations Secretariat

*Diplomatic missions*
Permanent Missions to the United Nations: Canada; China; Czech Republic; France; Lebanon; Liberia; Liechtenstein; Singapore; Switzerland; United Kingdom of Great Britain and Northern Ireland; United States of America

# Annex II

## Indictment against Joe Victor Cooper

REPUBLIC OF LIBERIA ) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL
MONTSERRADO COUNTY) ASSIZES "A" FOR MONTSERRADO COUNTY, SITTING
IN ITS FEBRUARY TERM, A.D. 2009

BEFORE HIS HONOUR S. OPEVON SMITH.....ASSIGNED JUDGE

Republic of Liberia.....Plaintiff

Versus

Joe Victor Cooper, Emmanuel Kpayou, et al all of the City of Monrovia, Liberia.....Defendants

CRIME:

Forgery, Criminal Facilitation and Theft of Property

### INDICTMENT

The Grand Jurors for Montserrado County, Republic of Liberia, upon their Oath do hereby find more probably than not, that the Defendants, Joe Victor Cooper, Emmanuel Kpayou and others (to be identified), committed the crimes of **Forgery, Criminal Facilitation and Theft of Property**, to wit:

That during the months of June and July, A.D. 2008, in Monrovia, Montserrado County, Republic of Liberia; Co-Defendant Joe Victor Cooper, did without any color of right and/or legal justification whatsoever, criminally, purposely and intentionally forge the signature of the Minister of Lands, Mines and Energy, Dr. Eugene H. Shannon on a document thereby setting up a bogus entity styled and known as CDN Export/Import, Inc. alleged to have been formed in January, 2008, in an attempt to commit a crime.

And That the Grand Jurors aforesaid, upon their oath aforesaid, do hereby present that Co-Defendant Joe Victor Cooper, in cohort and connivance with co-defendant Emmanuel Kpayou, said co-defendant Emmanuel Kpayou masqueraded as Director of Liberia Diamond Release Department, a fake company, did master-mind the duping and taking away from Mr. Frank D. Alessandro, a Physician of Rhode Island, USA, an amount of One Hundred and Fifteen Thousand United States (US$ 115,000.00) Dollars being amount cast to and received by Defendant, for the purchase of Diamond.

Wherefore, the Grand Jurors aforesaid do hereby present that the Defendants aforesaid, at the time, place and manner aforesaid, with the sole intent and purpose to deprive the owner, Frank D' Alessandro of his hard earned money (US$ 115,000.00), purposely and intentionally conspired, connived and in cohort did forge the signature of Dr. Eugene H. Shannon, Minister of Lands, Mines & Energy, and the crimes of **Forgery, Criminal Conspiracy and Theft of Property**, they, the Defendants aforesaid did do and commit. Contrary to 4LCLR, Title 26, Sec. 15.76, 4LCLR, Title 26, sec. 15.31 (a) Title 26 sec. 2.2 (b) and 4LCLR, Title 26, Sec. 15.61 (b) and (g) and 4LCLR, Title 26, sec. 15.34 of the New Penal Laws of the Republic of Liberia and against the peace and dignity of the Republic of Liberia.

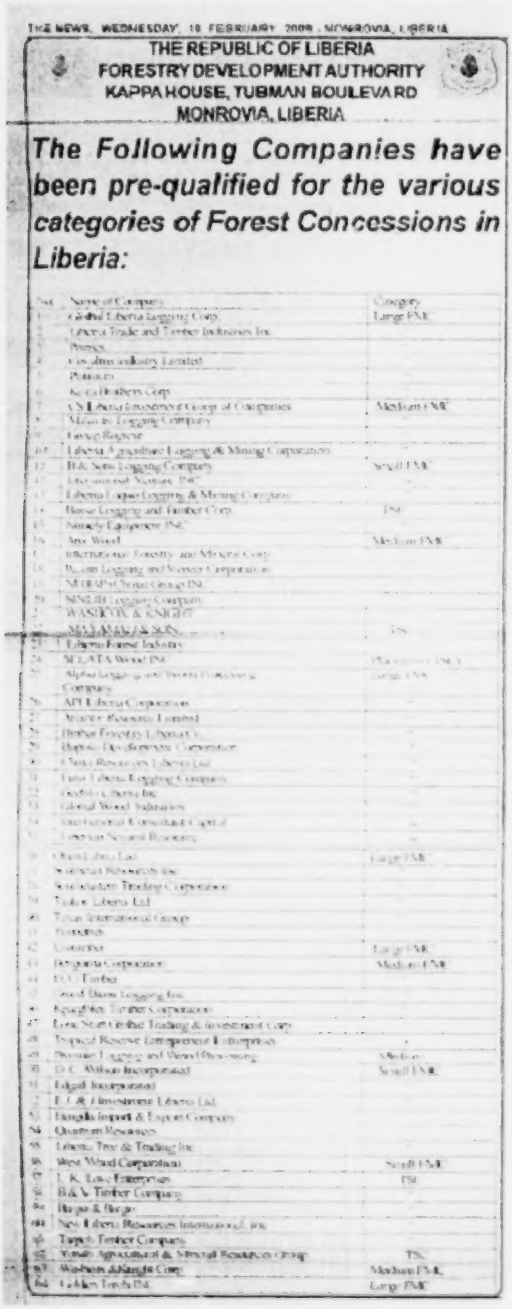
| WITNESSES: | ADDRESSES: |
|---|---|
| 1. Dr. Eugene H. Shannon | Monrovia, Liberia |
| 2. Frank D' Alessandro | USA |
| 3. | LNP |
| 4. | LNP |
| 5. Documentary | |

RESPECTFULLY SUBMITTED
REPUBLIC OF LIBERIA.....PLAINTIFF
BY AND THRU THE MINISTRY OF JUSTICE

Samuel K. Jacobs Esq.
COUNTY ATTORNEY

# Annex III

## List of pre-qualified companies published by the Forestry Development Authority



THE NEWS, WEDNESDAY, 18 FEBRUARY, 2009 , MONROVIA, LIBERIA

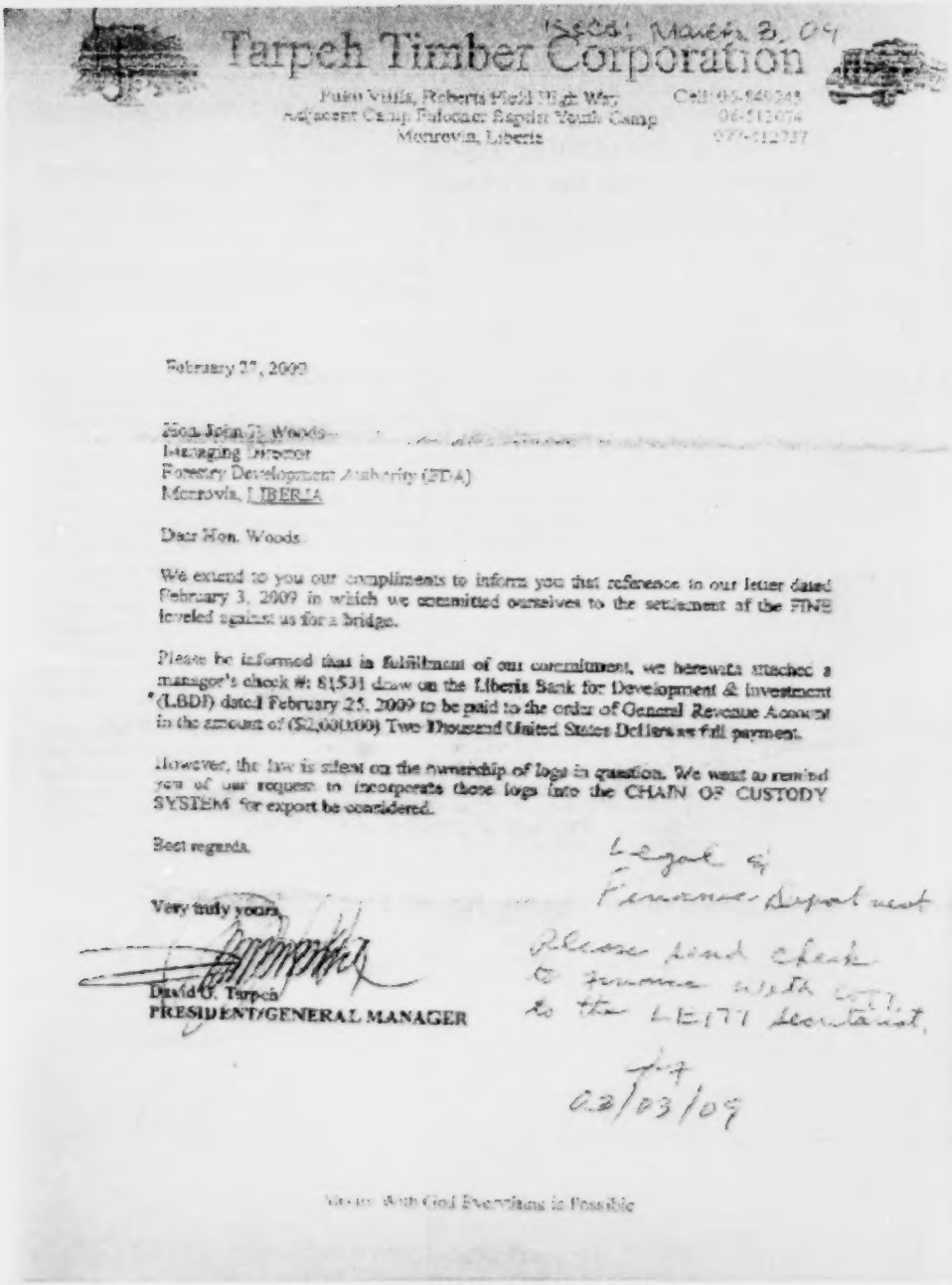
THE REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY
KAPPA HOUSE, TUBMAN BOULEVARD
MONROVIA, LIBERIA

***The Following Companies have been pre-qualified for the various categories of Forest Concessions in Liberia:***

| | Name of Company | Category |
|---|---|---|
| 1 | Cavalla Logging Corp. | Large FMC |
| 2 | Liberia Trade and Timber Industries Inc. | |
| 3 | Prince S. | |
| 4 | Consolidated Industry Limited | |
| 5 | Patterson | |
| 6 | Ko-Co Builders Corp. | |
| 7 | CN Liberia Investment Group of Companies | Medium FMC |
| 8 | Mission Logging Company | |
| 9 | Forest Register | |
| 10 | Liberia Agriculture Logging & Mining Corporation | |
| 11 | B.K. Sons Logging Company | Small FMC |
| 12 | Universal Natural Inc. | |
| 13 | Liberia Logger Logging & Mining Company | |
| 14 | Barnes Logging and Timber Corp. | FMC |
| 15 | Atlantic Corporate Inc. | |
| 16 | Star Wood | Medium FMC |
| 17 | International Forestry and Mineral Corp. | |
| 18 | Bloom Logging and Service Corporation | |
| 19 | MEHAPCO Group Inc. | |
| 20 | SINCERE Logging Company | |
| 21 | WASHCOR & SARGENT | |
| 22 | M.A.M.A. & S.C.S. | FMC |
| 23 | Liberia Forest Industry | |
| 24 | M.E.A.T.A. Wood Inc. | |
| 25 | Alpha Logging and Timber Processing Company | Large FMC |
| 26 | API Liberia Corporation | |
| 27 | Atlantic Resources Limited | |
| 28 | Timber Forestry Liberia Co. | |
| 29 | Bopolu Development Corporation | |
| 30 | Oasis Resources Liberia Ltd. | |
| 31 | Lone Liberia Logging Company | |
| 32 | Geoffrey Davis Inc. | |
| 33 | Liberia Wood Industries | |
| 34 | International Consultant Capital | |
| 35 | Liberian Natural Resources | |
| 36 | Okon Liberia Ltd. | Large FMC |
| 37 | Universal Resources Inc. | |
| 38 | Association Trading Corporation | |
| 39 | Timber Liberia Ltd. | |
| 40 | Titan International Group | |
| 41 | Timbertex | |
| 42 | Liberstar | Large FMC |
| 43 | Bergeria Corporation | Medium FMC |
| 44 | J.C. Timber | |
| 45 | Good Deeds Logging Inc. | |
| 46 | Kingdom Timber Corporation | |
| 47 | Lone Star Timber Trading & Investment Corp. | |
| 48 | Tropical Resource Entrepreneur Enterprises | |
| 49 | Premier Logging and Wood Processing | Medium |
| 50 | D.C. Wilson Incorporated | Small FMC |
| 51 | Edgal Incorporated | |
| 52 | E.C.R. Investment Liberia Ltd. | |
| 53 | Kingdom Import & Export Company | |
| 54 | Quantum Resources | |
| 55 | Liberia Tree & Trading Inc. | |
| 56 | West Wood Corporation | Small FMC |
| 57 | J. K. Lone Enterprise | FMC |
| 58 | B & V Timber Company | |
| 59 | Bergo & Bergo | |
| 60 | New Liberia Resources International Inc. | |
| 61 | Tarpeh Timber Company | |
| 62 | Yonah Agricultural & Mineral Resources Group | FMC |
| 63 | Madison & Sargent Corp. | Medium FMC |
| 64 | Golden Touch INC | Large FMC |

# Annex IV

## Letter from Tarpeh Timber to the Forestry Development Authority regarding illegally felled logs



Tarpeh Timber Corporation

Paito Villa, Roberts Field Hwy
Adjacent Camp Patience Rapdin Youth Camp
Monrovia, Liberia

February 27, 2009

Hon. Joseph Woods
Managing Director
Forestry Development Authority (FDA)
Monrovia, LIBERIA

Dear Hon. Woods:

We extend to you our compliments to inform you that reference to our letter dated February 3, 2009 in which we committed ourselves to the settlement of the FINE leveled against us for a bridge.

Please be informed that in fulfillment of our commitment, we herewith attached a manager's check #: 81531 draw on the Liberia Bank for Development & Investment (LBDI) dated February 25, 2009 to be paid to the order of General Revenue Account in the amount of ($2,000.00) Two Thousand United States Dollars as full payment.

However, the law is silent on the ownership of logs in question. We want to remind you of our request to incorporate these logs into the CHAIN OF CUSTODY SYSTEM for export be considered.

Best regards.

Very truly yours,

David O. Tarpeh
PRESIDENT/GENERAL MANAGER

Legal &
Finance Department
Please find check
& finance with COT
to the LETT Accountant
02/03/09

With God Everything is Possible



BEST COPY AVAILABLE

# Annex V

## Bids submitted for four forest management contracts

### FMC F — Grand Gedeh and River Gee — 254,583 hectares

| *Bidding company* | *Bid (United States dollars)* | *Met or exceeded reserve bid* | *Bid bond ($106,000)* | *Notarized* |
|---|---|---|---|---|
| Euro-Liberia Logging | 6.46 annually | No | Yes | Yes |
| International Consultants Capital | 11.07 annually | Yes | Yes | Yes |
| Atlantic Resource Ltd. | 8.00 annually | Yes | Yes | Yes |

### FMC I — Grand Gedeh and Sinoe — 131,466 hectares

| *Company* | *Bid (United States dollars)* | *Met or exceeded reserve bid* | *Bid bond ($55,000)* | *Notarized* |
|---|---|---|---|---|
| Geeblo Logging Corporation | 10.75 annually | Yes | Yes | Yes |
| Universal Forestry Corporation | 6.99 annually | Yes | Yes | No |
| Keita Brothers | 5.50 annually | No | No | No |
| Washcox Knight Corporation | 15.10 annually | Yes | Yes | Yes |

### FMC K — Grand Gedeh, Nimba and River Gee — 266,910 hectares

| *Company* | *Bid (United States dollars)* | *Met or exceeded reserve bid* | *Bid bond ($111,000)* | *Notarized* |
|---|---|---|---|---|
| Timbertek Inc. | 9.50 annually | Yes | Yes | No |
| Global Wood Industries | 10.75 (annually?) | To be determined | Yes | Yes |
| International Consultants Capital | 10.65 annually | Yes | Yes | Yes |
| Southeast Resources Ltd. | 8.50 annually | Yes | Yes | Yes |
| Keita Brothers | 5.50 annually | No | No | No |

### FMC P — Grand Kru, Maryland and River Gee — 119,344 hectares

| *Company* | *Bid (United States dollars)* | *Met or exceeded reserve bid* | *Bid bond ($50,000)* | *Notarized* |
|---|---|---|---|---|
| Global Wood Industries | 13.50 (annually?) | To be determined | Yes | Yes |
| Universal Forestry Corporation | 6.03 annually | Yes | Yes | No |
| Unitimber | 7.19 annually | Yes | Yes | Yes |
| Atlantic Resources Ltd. | 8.90 annually | Yes | Yes | Yes |

*Abbreviations*: FMC: forest management contract.

# Annex VI

## Certificate of concession for logging concessions

**APPENDIX # 5** Recd: Feb 23, 2009

REPUBLIC OF LIBERIA
**MINISTRY OF PLANNING AND ECONOMIC AFFAIRS**
P. O. Box 10-9016
1000 Monrovia 10, Liberia

*Office of the Minister*

**CERTIFICATE FOR CONCESSION: FORESTRY DEVELOPMENT AUTHORITY (FDA)**

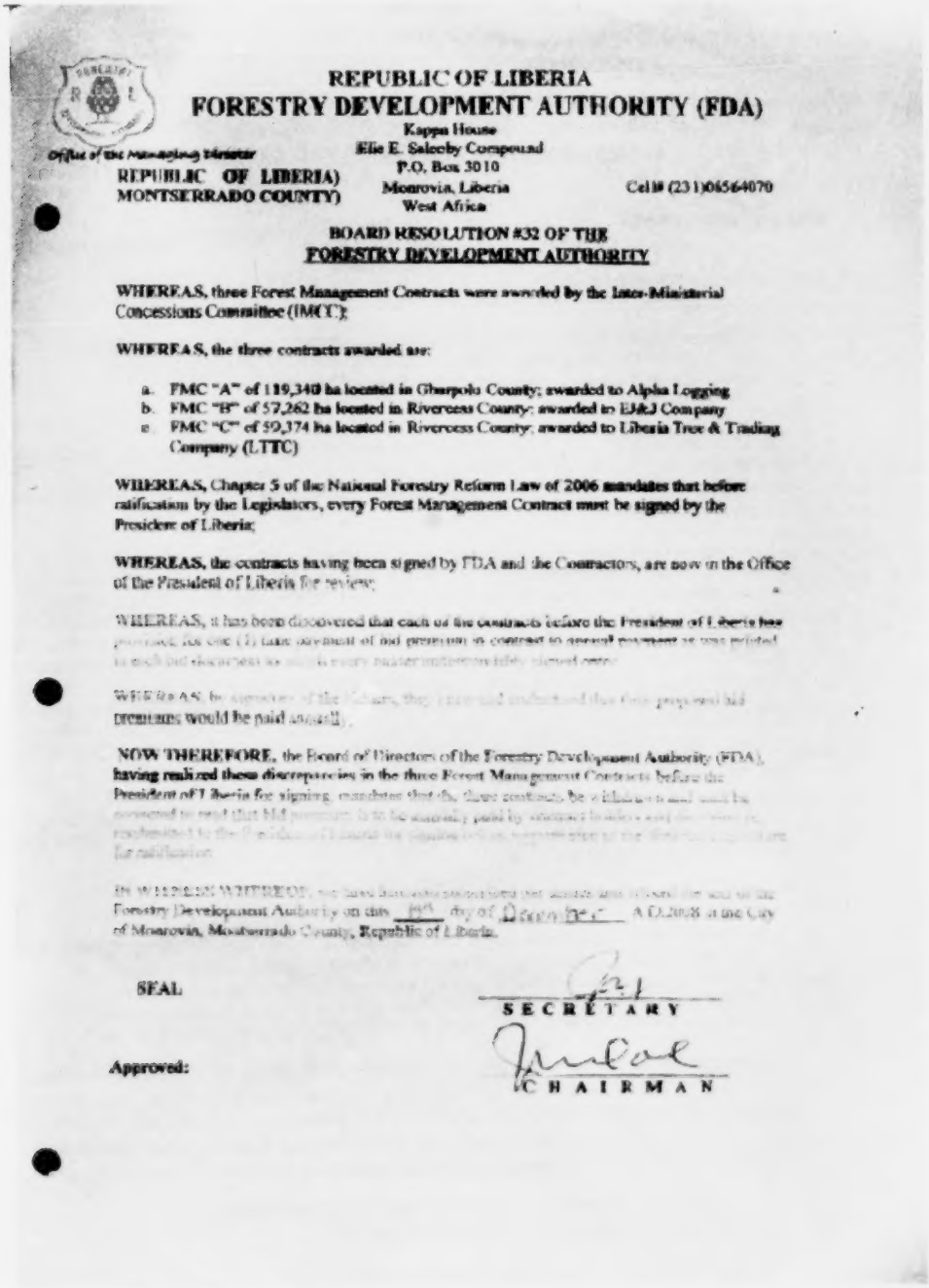
In keeping with Articles 88 and 89 of the PPC ACT of 2005, the Ministry of Planning & Economic Affairs of the Republic of Liberia hereby issues this **"Certificate for Concession"** to the Forestry Development Authority (FDA), The Concession Entity to commence the process leading to the Concession implementation of the Forestry Management Contracts.

Signed: _____
**Amara M. Konneh**
**Minister of Planning and Economic Affairs**

Date: 2-19-09

# Annex VII

## Board resolution 32 of the Forestry Development Authority



REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY (FDA)
Kappa House
Elie E. Saleeby Compound
P.O. Box 3010
Monrovia, Liberia
West Africa
Cell# (231)06564070

Office of the Managing Director
REPUBLIC OF LIBERIA)
MONTSERRADO COUNTY)

**BOARD RESOLUTION #32 OF THE FORESTRY DEVELOPMENT AUTHORITY**

**WHEREAS,** three Forest Management Contracts were awarded by the Inter-Ministerial Concessions Committee (IMCC);

**WHEREAS,** the three contracts awarded are:

a. FMC "A" of 119,340 ha located in Gbarpolu County; awarded to Alpha Logging
b. FMC "B" of 57,262 ha located in Rivercess County; awarded to EJ&J Company
c. FMC "C" of 59,374 ha located in Rivercess County; awarded to Liberia Tree & Trading Company (LTTC)

**WHEREAS,** Chapter 5 of the National Forestry Reform Law of 2006 mandates that before ratification by the Legislators, every Forest Management Contract must be signed by the President of Liberia;

**WHEREAS,** the contracts having been signed by FDA and the Contractors, are now in the Office of the President of Liberia for review;

WHEREAS, it has been discovered that each of the contracts before the President of Liberia has provision for one (1) time payment of bid premium or contract signature premium to be paid by the successful bidder/contractor to the Government of Liberia;

WHEREAS, by signatures of the Parties, they have indicated that the proposed bid premiums would be paid annually;

**NOW THEREFORE,** the Board of Directors of the Forestry Development Authority (FDA), having realized these discrepancies in the three Forest Management Contracts before the President of Liberia for signing, mandates that the three contracts be withdrawn and must be corrected to read that bid premiums to be annually paid by successful bidders and the amounts recommended to the President of Liberia for signature on the three contracts are for ratification.

IN WITNESS WHEREOF, we have hereunto placed our hands and affixed the seal of the Forestry Development Authority on this 18th day of December A.D.2008 in the City of Monrovia, Montserrado County, Republic of Liberia.

SEAL

SECRETARY

Approved:

CHAIRMAN

# Annex VIII

## Report of the Board's Administrative Committee of the Forestry Development Authority

18A

**REPUBLIC OF LIBERIA**
**FORESTRY DEVELOPMENT AUTHORITY (FDA)**

Office of the Managing Director

Kappa House
Elie E. Saloohy Compound
P.O. Box 2010
Monrovia, Liberia
West Africa
Cell# (231)06564070

**Comprehensive Report of the Board's Administrative Committee on the Findings of Tom Downing's Revelation of High Bid Influence on the Last Three Forest Management Contracts**

On January 14, 2009, the Board of Directors resolved into executive session to receive preliminary report from its Administrative Committee on revelation made by Mr. Tom Downing, which implicated the National Authorizing Officer of the Forestry Development Authority.

During the December 18 Board meeting Mr. Downing informed the Board that at a local hotel in downtown Monrovia, Mr. Richard Forjoe of Ecotimbers Logging Company, whose company also supports the Liberia Tree and Trading Company (LTTC) told him, in the company of Brian Cohen, US Forest Advisor to FDA and Peter Lowe, the World Bank Advisor seconded to FDA, that two employees from FDA advised LTTC to bid high at the disadvantage of other competitors in order to win. Further, Tom continued, Mr. Forjoe said that even though LTTC was hesitant to bid high due to the fact that the bid premium payment would be an annual obligation, LTTC was convinced to proceed as such, especially, when the two persons said they would work in LTTC's favor to make bid premium payment a onetime requirement. According to Mr. Downing, One of the two FDA officials allegedly is the National Authorizing Officer.

Mr. Forjoe was called in separately as Tom to testify but denied ever making such statement to Tom. However, Tom would not agree to confront Forjoe before the Administrative Committee.

**The Board of Directors resolved thus:**

a. Brian Cohen and Peter Lowe be informed to make appearances before the Administrative Committee with written testimony on the matter
b. Request for Tom Downing's written testimony on the issue
c. Richard Forjoe should also present a written testimony
d. A comprehensive report be made to the Board during its next sitting.

Accordingly, by the Board's directive, letters were subsequently sent to Messrs Downing, Lowe, Cohen and Forjoe. The Administrative Committee convened in the office of Secretary Woods under the Chairmanship of Bismarck Kuyon on Thursday, January 29, 2009 at 4:00 P.M. Romeo Quoih sat in for the Minister of Planning while Daniel Smith acted on behalf of the Minister of Agriculture. Additional persons in attendance were:

1. E. Dkema A. Witherspoon I Assistant Managing Director/FDA
2. Benedict K. Sagbeh Legal Counsel/FDA

The Committee treated the various responses separately in order to come up with a determination with respect to Tom's revelation. You will find attached in each case, Administrative Committee's letter and the response thereto.

For the purpose of this investigation, Tom named Brian and Peter as his witnesses while Forjoe and the National Authorizing Officer, undisputedly, Alfred Katia, were the accused.

**Responses to Administrative Committee's Letters**

**A. Mr. Tom Downing**

Mr. Downing's response was resolute; as in his oral testimony, he wrote that indeed a meeting was held with him, Brian Cohen and Peter Lowe on the one hand and Mr. Arvydis, the General Manager of Logs and Lumber, Richard Forjoe, President of Ecotimbers and LTTC's Bush Manager Ian Patterson on the other hand. The letter as you will read reaffirms Tom's allegation of collusion. See attached Exhibit "A".

**B. Mr. Brian Cohen**

Interestingly, Mr. Cohen admits being at the meeting, but strongly opposes denying or confirming Tom's statement because of the oral understanding of confidentiality that all in attendance would agree to hold and keep this conversation from the domain of any other person. Rather, Mr. Cohen went further to call for investigation on all companies that bidded on FMC (A, B, & C) ... " to determine whether these were reasonable bids and not indicative of one-time rather than annual land rental premiums being paid....". See attached Exhibit "B"

**C. Peter Lowe**

Mr. Downing's other witness, Peter Lowe, in response, writes and says the following: "..... I have been instructed by Senior Management of the WB to draw back from immediate involvement with such contentious issues in the forestry sector, particularly concerning commercial forestry.....According;y, I do not have the authority to submit a signed statement which has not been approved by WB Management." Commenting further, Mr. Lowe said, "The meeting certainly took place at Cape Hotel and I was present. The company officials spoke off-the-record which I fully respect. **As to the substance of the conversation, I do not confirm the report by Tom Downing.**" See attached Exhibit "C"

**D. Richard Forjoe**

Denying the allegations made against Mr. Forjoe, he said the following: ".... I have met Mr. Downing on only two occasions; the first being during a visit of the FDA's due diligence team to our head office in Monrovia, and the second ( the one out of which this allegation grows) being at an informal meeting at the Cape Hotel with Mr. Ian Paterson and Mr. Avedis Jeghalian along with some other persons. Mr. Forjoe continued, by this letter,' I wish to reiterate and affirm my earlier statement that the allegation of Mr. Thomas Downing is **utterly false and misleading** and in my mind,

intended to besmear the hard earned reputation of EcoTimbers Liberia Limited and the LTTC ...." See attached Exhibit "D"

After going through the various responses, Mr. Alfred Kotio, FDA National Authorizing Officer, being alleged as one of the two employees responsible for influencing LTTC to bid high, was invited by the Committee to present his side of the story. He denied ever having any pre-bid discussions with any prospective bidder(s). However, he was charged to have his testimony written. The testimony tendered by Alfred Kotio is supportive of his earlier oral statement. See attached Exhibit "E".

Two questions arise out of these investigations:

1. Is Tom's statement true?
2. Why was a meeting held at the Cape Hotel?

**The First Question**

The admissibility of any allegation must have been supported by substantial proof, without doubt, convincing by the standard test of reasonableness. The sufficiency of proof establishing the guilt of the accused must have been corroborated by at least two other witnesses in order to fulfil the element of doubtlessness. From Brian and Peter's exchanges, none seems to be supportive of Tom's statement against Ecotimber and adversely, the National Authorizing Officer. Testimonies of these two men are not clear and convincing to anyone so as to give credence to Tom's statement.

**Second Question**

No doubt, the date the subject meeting took place is far beyond the date of award of the three contracts. Was this meeting a coincidence? If not, then who called the meeting at the Cape Hotel? The investigation did not concern itself to answer these questions. However, the manner and form of Brian and Peter's written answers suggests and infers that there is a motive to trigger a debate that could support call for re-tender of the three FMC's.

**Conclusion**

From the facts and circumstances, the investigation finds no iota of truth in Tom's revelation made to the Board of Directors on December 18, 2008. There is sufficiency of proof that these allegations are directed at fostering the re-tender of three FMC's, that is, FMC (A, B, C), thereby undermining and jeopardizing commencement of commercial logging activities.

Respectfully submitted this 10th day of February A.D. 2009.

John T. Woods
SECRETARY

Bismarck N. Kuyon
CHAIRMAN

# Annex IX

## Public notice regarding non-governmental organizations

*DAILY OBSERVER*

REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY
P. O. Box 3010
Monrovia, Liberia

PUBLIC NOTICE

A National Forest Policy has been formulated, the National Forestry Reform Law enacted; its Core Regulations formulated and are being implemented. The Forestry Development Authority, the agency of the Government of Liberia responsible for the implementation of forestry related policies and laws, has been rehabilitated and capacitated with a Board of Directors, staff and financial resources and is poised to execute its mandate effectively and efficiently.

Therefore, in accordance with chapter 8, section 8.3 of the Poverty Reduction Strategy, captioned, "Strengthening Governance and the Rule of law as well as Building effective and Efficient Institutions", it is no longer necessary for governments and international nongovernmental organizations to continue to support local ngos to perform forest related activities without the approval of the Forestry Development Authority by a Contract, Memorandum of Understanding, or other arrangements.

Effective January 2009, all international institutions and governments wishing to engage the services of local and international ngos to undertake forestry related activities in Liberia must acknowledge the FDA as the authorized agency that can provide the guidelines or information on forest management strategy in the country. These guidelines will be available by 15th January 2009 at the central office of the FDA in Congo Town. All those who have current forest related activities in the country are advised to officially bring such activities to the attention of the FDA in writing-stating the sponsor, the nature of the activities, the date the activities began and when they are supposed to end.

All future forest related activity must meet the guidelines of the Forestry Development Authority. Failure to comply could result to necessary administrative actions compatible with the rule of law and good governance.

Signed _____
The Management-Forestry Development Authority.

# Annex X

## Indictment against Benjamin Yeaton

08-MC-158-MG1-CR

REPUBLIC OF LIBERIA ) IN THE FIRST JUDICIAL CIRCUIT, CRIMINAL ASSIZES "A"
MONTSERRADO COUNTY ) FOR MONTSERRADO COUNTY, SITTING IN ITS NOVEMBER TERM, A. D. 2008

BEFORE HIS HONOUR: J. BOIMA KONTOE ..... ASSIGNED CIRCUIT JUDGE

Republic of Liberia ..... Plaintiff

Versus

Benjamin Yeatan ..... Defendant

CRIME:

MURDER

-INDICTMENT-

The Special Jurors for the County of Montserrado, Republic of Liberia, upon their Oath do hereby find more probably than not, that the Defendant Benjamin Yeatan (to be identified), committed the crime of MURDER, felony in the first degree to wit:-

That in violation of Chapter 14 Section 14.1 (a & b) of the New Penal Law of Liberia, Title 26, Liberian Code of Laws Revised, which states:

Section14. 1 Murder

A person is guilty of murder if he:

(a) Purposely or knowingly causes the death of another human being; or

(b) Causes the death of another human being under circumstances manifesting extreme indifference to the value of human life. A rebuttable presumption that such indifference exists arises if the defendant is engaged or is an accomplice in the commission of, or attempt to commit, or flight after committing or attempting to commit, treason, offenses defined in Sections 11.2 or 11.3 of this title, espionage, sabotage, robbery, burglary, kidnapping, felonious restraint, arson, rape, aggravated involuntary sodomy, escape, piracy, or other felony involving force or danger to human life.

That in respect of the above, Plaintiff says that in November, 1997; and between June 5, 2003 and June 8, 2003, the above named Defendant, of the City of Monrovia, County and Republic aforesaid, without any color of right and in violation of the Statutory Laws of Liberia made and provided, and with criminal and wicked intent to commit murder and intentionally take the lives of citizens of Liberia, in public and private life, did knowingly, feloniously, purposely, criminally maliciously and intentionally shoot and order the shooting and execution of, and did deliberately cause the death of John W. Yormie, at the time Deputy Minister for Operations of the Ministry of National Security, Isaac Vaye, at the time Deputy Minister of Public Works for Technical Services, Samuel Dokie, former Minister of Internal Affairs, and members of his family; and thereby the said Benjamin Yeatan committed the felonious crime of Murder in violation of Chapter 14, Section 14.1 (a & b) of the Penal Law of the Republic of Liberia, Title 26, Liberian Code of Law Revised, in manner as follows:

1. That the said Defendant, Benjamin Yeatan, did on the night of June 5, 2003 send for John W. Yormie, at the time Deputy Minister for Operations of the Ministry of National Security, with information that the said John W. Yormie was needed by the President of Liberia, Charles Ghangay Taylor. That the said John W. Yormie was taken from his residence, along with Isaac Vaye, on the said night of June 5, 2003, in a light blue jeep marked 1249-BC and a SSS vehicle with license plate SSS 18, under escort

by two armed men, Junior Nyantee and Barnana (Aide de Camp to the President) to Benjamin Yeatan, then Director of the Special Security Service (SSS) and Frontline Commander referred to as a General. The men were supposedly to be taken to President Taylor. That although subsequently, on June 7, 2003, Mr. Benjamin Yeatan acknowledged to the wives of the two men, and in the presence of other women citizens of Nimba County, that the two arrested men were in his (Benjamin Yeatan) custody and that he would release them the following day, June 8, 2003. However, the two men (Yormie and Vaye) were never seen alive thereafter by their families, but were instead killed on the orders and directives of Benjamin Yeatan by three special forces persons, who, upon the orders of Benjamin Yeatan were first tied, and taken on the highway from CNC-Camp where the General used as a military base. The two men (Yormie and Vaye) were then shot by Yeatan's Special Forces man who were part of his guards and over whom he had direct control, and further, that in the case of Mr. John W. Yormie, he was personally shot in the head by Benjamin Yeatan himself, the incident having occurred in the CNC area at a cross road between Bipa and Banlakpala, in Nimba County, and the bodies of the men said to have been deposited in a well around the LPRC Oil Terminal Sub-Station in Ganta, Nimba County. Plaintiff says that the death of the two men was acknowledged by President Taylor himself, who sent his Vice President, Moses Blah, Harrison Karnway and Prince Myers to inform the widows of the death of their husbands.

2. Plaintiff says further that Defendant Benjamin Yeatan, in further exhibit of his wicked and felonious scheme to murder, did kill and order the killing of Mr. Samuel Dokie, his wife, Janet Dokie and other relatives in November, 1997. That the said incident occurred in Bong County, whilst Mr. Samuel Dokie and his family were proceeding to Nimba County to attend the wedding of a relative. Having been arrested in Bong County while they were enroute to Nimba, they were detained by the former Inspector of Police for Bong County, one Ernest Mulbah (now deceased), but were later transferred to the Special Security Service (SSS) detachment in Bong County, upon directive of the Chief of Staff then. It was while Samuel Dokie and family were in the custody of the SSS in Gbarnga that the Director of the SSS, R.L., General Benjamin Yeatan, the defendant herein, ordered that they be killed, which they were, with their heads being beheaded and their remains burnt, and which act of killing was carried out by the defendant and his men; and thereby the crime of Murder which said defendant did do and commit contrary to the Statutory Laws of the Republic of Liberia.

AND THE SPECIAL JURORS AFORESAID, upon their Oath aforesaid, do present that **Benjamin Yeatan**, Defendant aforesaid, at the places, times and dates aforesaid, in the manner and form aforesaid, do say that the crime of **MURDER**, thereby the said Defendant did do and commit, contrary to the form, force and effect of the Statutory Laws of Liberia, in such cases made and provided, and against the peace and dignity of the Republic of Liberia.

Republic of Liberia .....Plaintiff
by & thru

Samuel K. Jacobs, Esq.
County Attorney for Montserrado Co. R/L

WITNESSES:
1. Cynthia Howard Yormie
2. Suzzna Vaye
3. Documentary evidence

ADDRESSES:
Monrovia, Liberia

Republic of Liberia.....Plaintiff

Versus

Benjamin Yeatan.....Defendant

C R I M E: **MURDER**

A TRUE BILL FROM THE SPECIAL JURY FOR MONTSERRADO COUNTY, SITTING IN ITS NOVEMBER TERM A.D. 2008

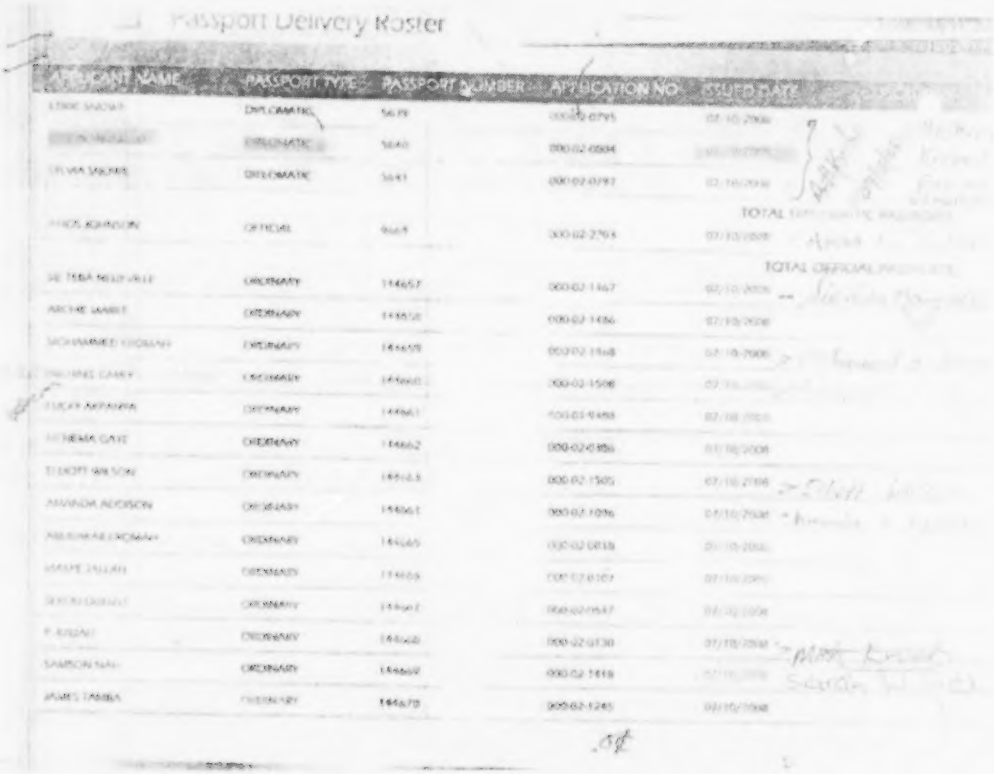
FOREMAN, GRAND JURY, FOR MONTSERRADO COUNTY

FILED: 9th January A.D. 2009

CLERK, FOR THE AFORESAID COURT, MONTSERRADO CO. R/L

## Annex XI

### Passport roster displaying details on Edwin M. Snowe



Passport Delivery Roster

| APPLICANT NAME | PASSPORT TYPE | PASSPORT NUMBER | APPLICATION NO | ISSUED DATE |
|---|---|---|---|---|
| [redacted] | DIPLOMATIC | 5639 | [redacted] | [redacted] |
| [redacted] | DIPLOMATIC | 5640 | [redacted] | [redacted] |
| [redacted] | DIPLOMATIC | 5641 | [redacted] | [redacted] |
| | | | | TOTAL |
| [redacted] | OFFICIAL | 9669 | [redacted] | [redacted] |
| | | | | TOTAL OFFICIAL |
| [redacted] | ORDINARY | 144657 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144658 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144659 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144660 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144661 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144662 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144663 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144664 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144665 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144666 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144667 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144668 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144669 | [redacted] | [redacted] |
| [redacted] | ORDINARY | 144670 | [redacted] | [redacted] |

# Annex XII

## Passport application of Edwin M. Snowe

006-02-0804

BUREAU OF PASSPORTS & VISAS

REPUBLIC OF LIBERIA

MINISTRY OF FOREIGN AFFAIRS

[illegible]

DPL1005640

APPLICATION FOR DIPLOMATIC LIBERIAN PASSPORT

PLEASE PRINT IN BLOCK LETTERS

1. NAME: SNOWE JR., EDWIN MELVIN — Exp 07-10-08 — 07-10-08

2. PREVIOUS NAME(S)

3. SEX: [illegible] 4. DATE OF BIRTH: Feb 11 70

5. PLACE OF BIRTH: Mano River Grand Cape Mt. Liberia

6. DESIGNATION/CAREER TO BE USED IN PASSPORT: Legislator

7. NATIONALITY: 8. MARITAL STATUS: ☐ Single ☐ Married ☐ Separated ☐ Widowed

9. CURRENT PLACE OF RESIDENCE IN LIBERIA & CONTACT NO.: ELWA Road 0556850

10. FOREIGN ADDRESS & CONTACT NO.: N/A

11. ARE YOU EMPLOYED? ☒ YES ☐ NO — If Yes, Name of Employer: National Legislature

If Not, Name of Sponsor(ship)

12. Father: Edwin M Snowe, Sr — Grand Bassa Co

13. Mother: Mary K. Snowe — Sinoe

14. TWO PERSONS WHO CAN VOUCH FOR CITIZENSHIP:

A. Calton A. Karpeh — Uncle — 06[illegible]5549

B. Francis T. Karpeh — Uncle — 0655 2020

15. TWO PERSONS TO CONTACT IN CASE OF EMERGENCY:

A. G. Andy Gbanie Jr. — And — 07-10 0889[illegible]

B. Mary K Snowe — Mother — 06550500

16. HAVE YOU EVER BEEN ISSUED A LIBERIAN PASSPORT? ☒ YES ☐ NO — If Yes Give Date and No.: N/A

17. I hereby certify and declare that each of the above particulars as stated by me is true to the best of my knowledge and belief. I am aware that I am liable to prosecution for perjury if guilty of any false information, any misleading information given by me can disqualify my application for a Liberian Passport.

18. NAME AND SIGNATURE OF PERSON WHO FILLED IN THE FORM: Edwin M Snowe, Sr.

19. DATE FORM WAS FILLED IN: July 8, 08

PLEASE NOTE: THAT NORMALLY IT TAKES AT MOST THREE (3) WEEKS FOR COMPLETION AS OF THE DATE OF REPORTING AFTER SUBMITTING ALL THE REQUIRED DOCUMENTS AND WHILE YOUR APPLICATION IS PENDING, YOU ARE ADVISED NOT TO LEAVE THE COUNTRY OR MAKE TRAVEL PLANS UNTIL YOU HAVE BEEN NOTIFIED THAT YOUR PASSPORT IS READY FOR COLLECTION.

FOR PASSPORT OFFICE USE ONLY DO NOT WRITE IN THIS SECTION

HEIGHT: 6'0" COLOR OF HAIR: Black BEARD: ☐ YES ☐ NO MOUSTACHE: ☐ YES ☐ NO

TYPE/AUTH: D/S SPECIAL NAME: N/A NAME

PASSPORT NO: DATE ISSUED: 7-10-08 DATE EXPIRED: CONTROL NO:

Printed On: 6/13/2008 10:03:01 AM — Printed By: [illegible]

## Annex XIII

### Passport of Victoria Reffell

The Government of the Republic of Liberia requests all those whom it may concern to allow the bearer to pass freely without let or hindrance and to afford the bearer such assistance and protection as may be necessary.

J. B. Adams

Signed
Passport Officer

Signed
Holder

REPUBLIC OF LIBERIA. RÉPUBLIQUE DU LIBERIA

Passport / Passeport: Diplomatic

Surname / Nom: Reffell

Given Names / Prénoms: Victoria A.

Date of birth / Date de naissance: June 11, 1954

Sex / Sexe: F Place of birth / Lieu de naissance: Free Town, Sierra Leone

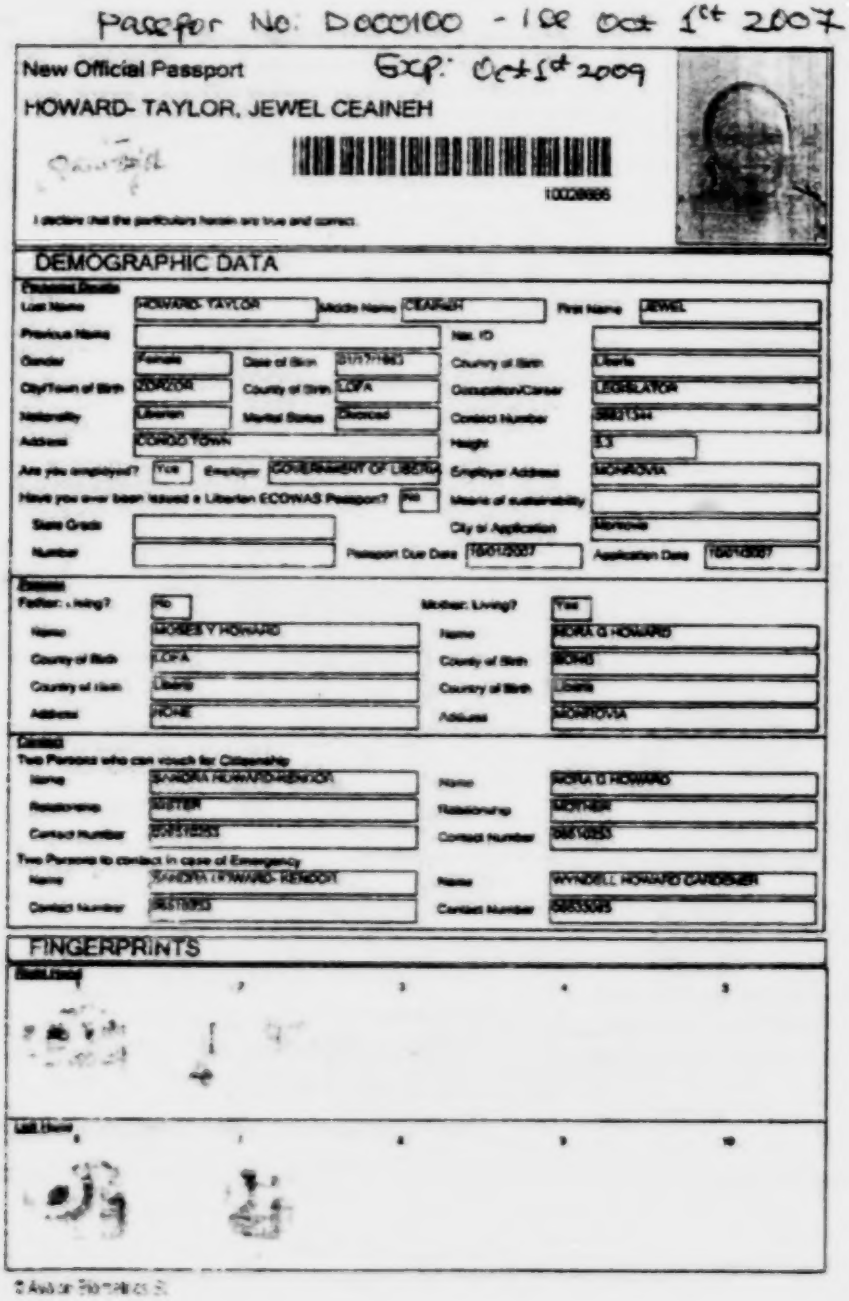
FORMER MEMBER, NATIONAL TRANSITIONAL COUNCIL OF LIBERIA.

Date of issue / Date de délivrance: November 24, 2008

Date of expiry / Date d'expiration: November 23, 2010

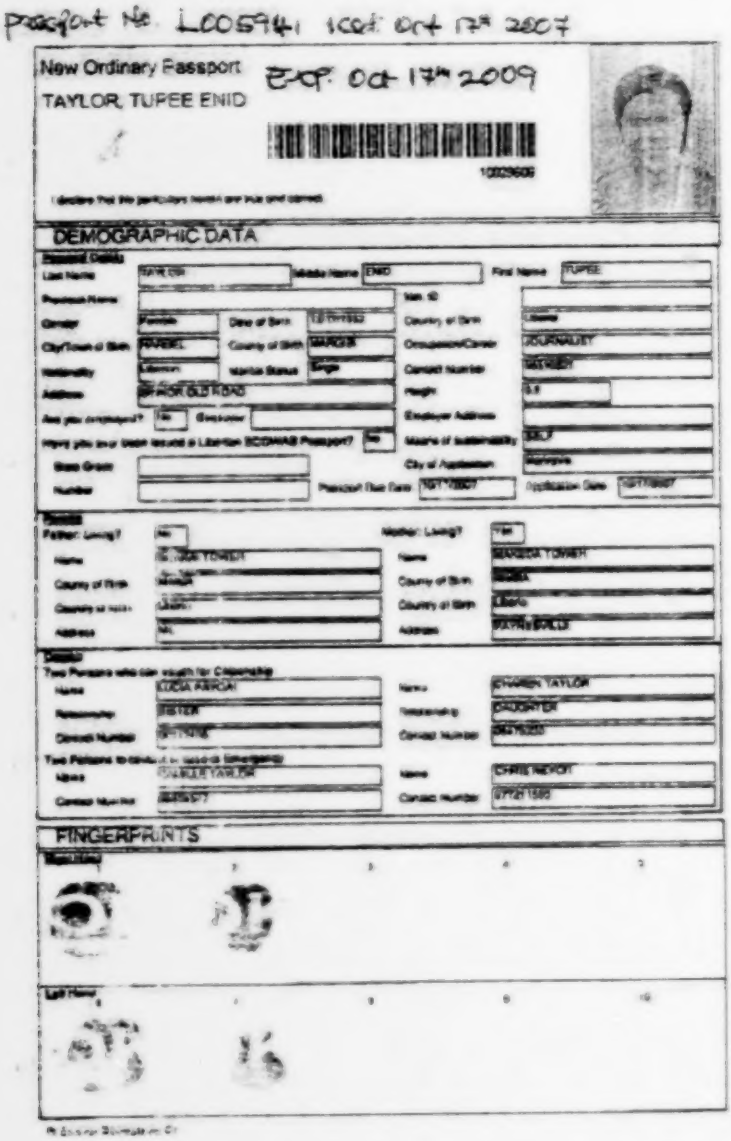
# Annex XIV

## Information contained in Liberian diplomatic passport of Jewel Howard Taylor



# Annex XV

## Information contained in passport of Tupee Enid Taylor



# Annex XVI

## Designated individual real estate holdings in Montserrado County

Republic of Liberia
Ministry of Finance
Division of Real Estate Tax

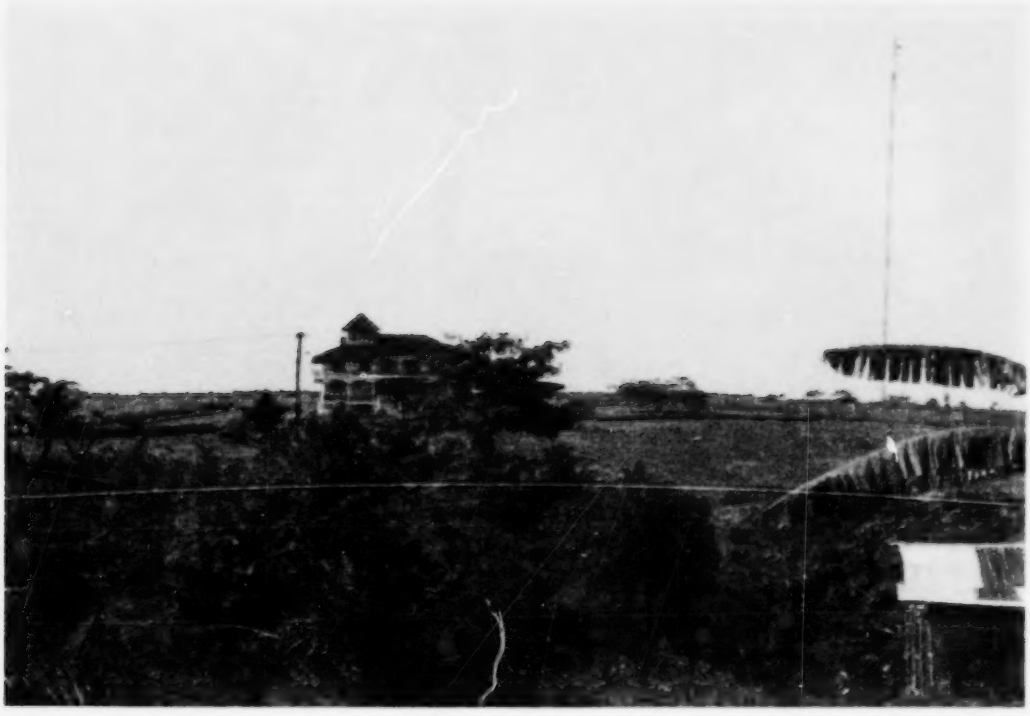
**List of Heavily Indebted Real Estate Taxpayers on Commercial Properties Batch #1**

| RETD | Taxpayer | Penalty & Interest | Tax Due | Period Cover |
|---|---|---|---|---|
| 10 | | | | |
| Mr. Benjon Urey | | 4,279.00 | 15,949.00 | 2008-2008 |
| Zilla Urey/Wells Farmsall structures on the farm ) | | 16,937.00 | 63,131.00 | |
| | | | | 2005-2008 |

| Primary Record from Tax Administration System(TAS) | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Tax Payer | TIN | Tax Code | Tax Kind | Date | USD | LD | Bill No. | BPS No | Receipt No | Check No | Reg. Period | End Period | | | |
| CHARLES G. TAYLOR | | 113-01 | TAXES ON BUILDING | 7/31/2008 | 784.42 | 0 | 0500036 | 256977 | 378478 | ECD0015244 | 1/1/2009 | 12/31/2009 | | | |
| CHARLES G. TAYLOR | | 113-01 | TAXES ON BUILDING- | 7/31/2008 | 2793.25 | 0 | 0500000 | 284965 | 378000 | ECDG0015224 | 1/1/2008 | 12/31/2008 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 133 | 0 | 005491 | 127804 | 130671 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 86 | 0 | 005137 | 127807 | 130672 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 109 | 0 | 005493 | 127801 | 130673 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 103 | 0 | 005492 | 127803 | 130674 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 103 | 0 | 005490 | 127806 | 130675 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 103 | 0 | 005487 | 127800 | 130676 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 391.25 | 0 | 009640 | 127810 | 130678 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 32.75 | 0 | 009648 | 127813 | 130669 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 450 | 0 | 004085 | 127811 | 130670 | GBL0016827 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 29.5 | 0 | 009647 | 133830 | 138030 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 343 | 0 | 005486 | 133828 | 138031 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 7/19/2006 | 216 | 0 | 004265 | 127808 | 130677 | GBL0016827 | 38353 | 12/31/2006 | | | |
| EDWIN SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 13 | 0 | 009646 | 133827 | 138032 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 27 | 0 | 009644 | 133815 | 138033 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 13 | 0 | 009645 | 133826 | 138034 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 8/28/2006 | 27 | 0 | 009704 | 133822 | 138035 | GBL0017338 | 38716 | 12/31/2006 | | | |
| EDWIN M. SNOWE JR. | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 131 | 0 | 001344 | 209183 | 263764 | GBL22099 | 39323 | 39447 | | | |
| [redacted] | | 301001 | TAX ON BUILDINGS | 3/22/2007 | 198.25 | 0 | 017866 | 171991 | 194060 | GBL0114353 | 39141 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 163 | 0 | 001336 | 209189 | 263774 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 829 | 0 | 015966 | 209186 | 263771 | GBL22096 | 39323 | 39447 | | | |
| [redacted] | | 301001 | TAX ON BUILDINGS | 12/7/2007 | 1900 | 0 | 019483 | 213335 | 274486 | GBL0027504 | 39718 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 103 | 0 | 001345 | 209194 | 263775 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 103 | 0 | 001337 | 209196 | 263776 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 103 | 0 | 001340 | 209183 | 263765 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 163 | 0 | 001335 | 209191 | 263766 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 180 | 0 | 025342 | 209186 | 263767 | GBL22098 | 39377 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 108 | 0 | 001334 | 209194 | 263768 | GBL22098 | 39323 | 39447 | | | |
| EDWIN M. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 30 | 0 | 001581 | 209185 | 263769 | GBL22098 | 39377 | 39447 | | | |
| EDWIN M. SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 13 | 0 | 001347 | 209204 | 263762 | GBL22097 | 39323 | 39447 | | | |
| EDWIN M. SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 27 | 0 | 001329 | 209199 | 263763 | GBL22097 | 39323 | 39447 | | | |
| EDWIN M. SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 49.75 | 0 | 015598 | 209188 | 263758 | GBL22097 | 39212 | 39447 | | | |
| EDWIN M. SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 57.5 | 0 | 015597 | 209206 | 263759 | GBL22097 | 39178 | 39447 | | | |
| EDWIN M. SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 49.75 | 0 | 015451 | 208207 | 263760 | GBL22097 | 39212 | 39447 | | | |
| [redacted] | | 301001 | TAX ON BUILDINGS | 1/24/2007 | 104 | 0 | 014748 | 163819 | 179772 | LBD072742 | 39083 | 39447 | | | |
| EDWIN SNOWE & MYDEA W. SNOWE | | 301001 | TAX ON BUILDINGS | 10/25/2007 | 13 | 0 | 001335 | 209205 | 263761 | GBL22097 | 39083 | 39447 | | | |
| EMMANUEL L. SHAW II | | 113-01 | TAXES ON BUILDING | 10/15/2008 | 3281.87 | 0 | 30710 | 268039 | 302010 | EC-D0005449 | 1/1/2009 | 12/31/2009 | | | |
| JEWEL HOWARD-TAYLOR | | 301001 | TAX ON BUILDINGS | 4/8/98 | 0 | 0 | 17374 | 65972 | 65171 | GBL0114003 | 1/1/1999 | 12/31/1999 | | | |

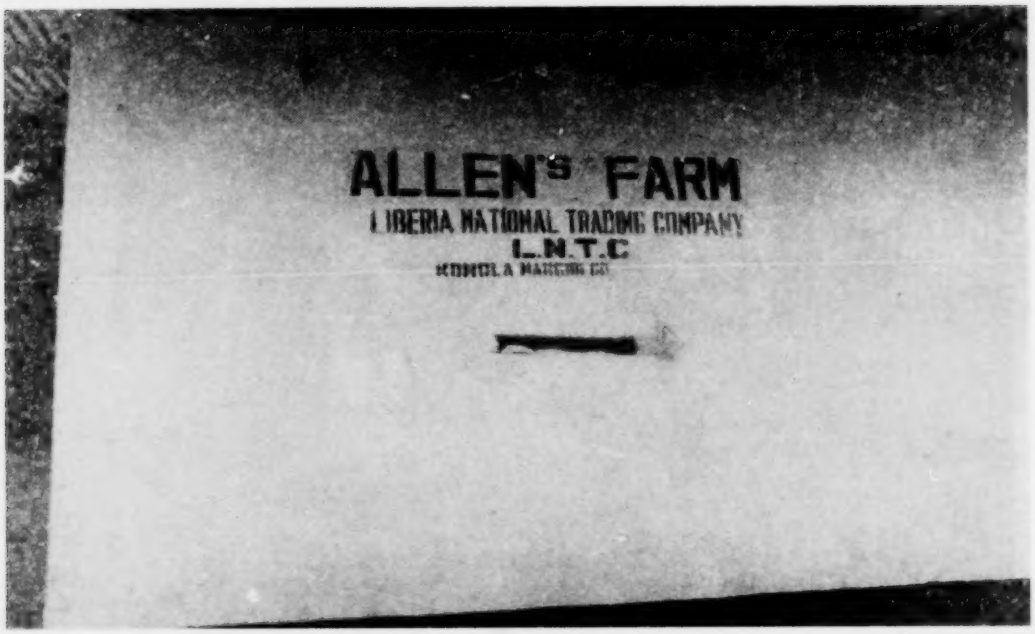
## Annex XVII

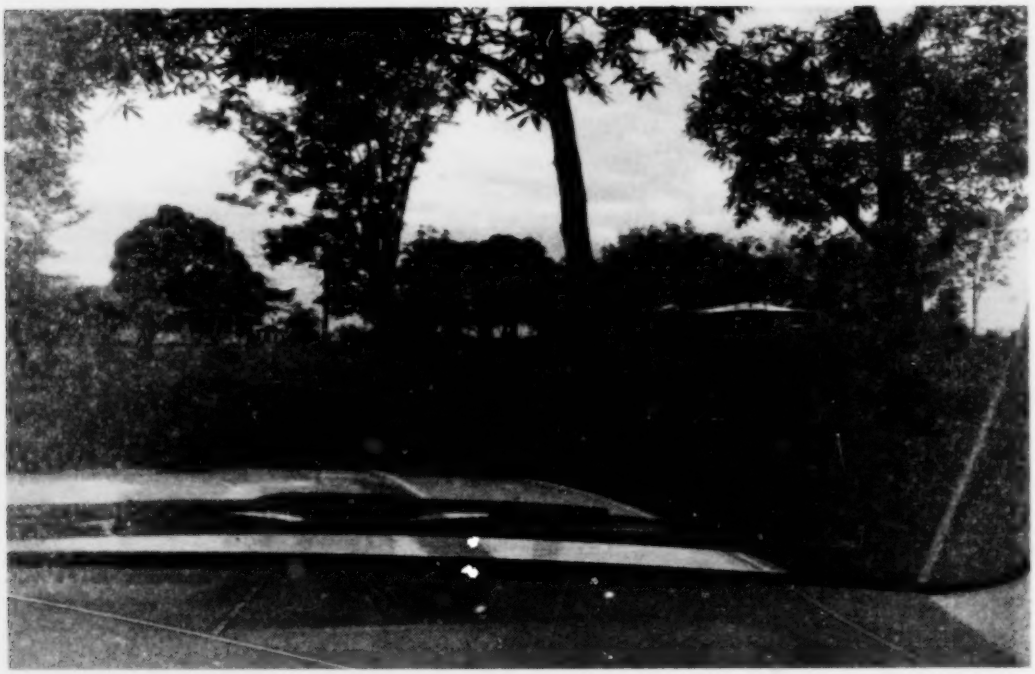
### Pictures of Benoni Urey's property in Montserrado County



## Annex XVIII

### Pictures of Cyril Allen's property in Margibi County



# Annex XIX

## Equipment approved under exemption OC17 (23 March 2009)

03/13/2009 12:12 212-415-4271 USUN SANCTIONS PAGE 03/03

EQUIPMENT

Item (Quantity)
- 5.56 ASSAULT RIFLE, FULLY AUTOMATIC, CARBINE, FLATTOP WITH DETACHABLE CARRYING HANDLE (40)
- MAGAZINES FOR 5.56 ASSAULT RIFLE, 30 ROUNDS (350)
- 5.56MM M4 SPARE PARTS KIT (5)
- 9MM PISTOL, GLOCK G-17, TRIJICON NIGHT SIGHTS, 5.5LB TRIGGER PULL (80)
- MAGAZINES, FOR 9MM GLOCK G-17 PISTOL (750)
- 9MM SIMMUNITION PISTOL, GLOCK MODEL G-17T SIMMUNITION TRAINING (BLUE FRAME), FIXED SIGHTS 5.5LB TRIGGER PULL (50)
- RECOIL SPRING ASSEMBLY FOR GLOCK PISTOL (10)
- SPARE PARTS: GLOCK 100 GUN PARTS PACKAGE FOR G-17'S (3)
- SPARE PARTS: 5.56 RIFLE SPARE PARTS AND REPAIR PACKAGE (4)
- 9MM AMMUNITION (300,000 ROUNDS)
- 5.56MM AMMUNITION (300,000 ROUNDS)
- 7.62 X 39MM AMMUNITION (30,000 ROUNDS)
- 9MM SIMMUNITION ROUNDS, RED MARKING TYPE (30,000 ROUNDS)
- SIMMUNITION UPPER RECEIVER KIT FOR 5.56 CARBINE, 14" FLTTPBLU CONVERSION KIT IN BLUE (20)
- 20 ROUND SIMMUNITION MAGAZINE, 5.56 CARBINE (102-530831OSP) (50)
- REMINGTON 870P SHOTGUN, 18" BARREL, M BEAD SIGHT (12)
- 14" BREACHING BARREL WITH STANDOFF ATTACHMENT FOR REMINGTON 870P (2)
- 12 GAUGE BUCKSHOT ROUNDS (10,000 ROUNDS)
- 12 GAUGE SLUGS, REFILED (10,000 ROUNDS)
- 12 GA DOOR BREACHING ROUNDS (500 ROUNDS)
- 12 GAUGE BIRDSHOT ROUNDS (500 ROUNDS)
- 12 GAUGE DISRUPTOR ROUNDS, COPPER FRANGIBLE PROJECTILE (500 ROUNDS)
- 12 GAUGE DISRUPTOR ROUNDS, LIQUID PROJECTILE (505 ROUNDS)
- EMPTY 12 GAUGE SHOTGUN SHELLS, EMPTY, NO PRIMERS (500 SHELLS)
- 12 GAUGE BEAN BAG PROJECTILE, LESS THAN LETHAL (250 ROUNDS
- ORANGE DUMMY ROUNDS, 12 GAUGE (500 ROUNDS)
- PRIMERS FOR 12 GAUGE SHOTGUN SHELLS (5,000 ROUNDS)
- VEST, BALLISTIC, CONCEALABLE LEVEL IIIA (120)
- LEVEL IIIA BALLISTIC HELMET (35)
- BALLISTIC PLATE LEVEL IV STAND-ALONG, 10" x 12", FST-PLT 4F (78)
- BALLISTIC SHIELD, LEVEL IIIA (2)
- SURVIVAIR OPTI-FIT TACTICAL GAS MASK, CBRNE (30)
- SURVIVAIR OPTI-FIT TACTICAL GAS MASK CANISTER, CBRNE (30)
- HC 5006X SECURITY SCREENING SYSTEM (160KV) TUNNEL SIZE: 21"W x 14"H (500 x 450MM) INCLUDES 1 YEAR MANUFACTURERS WARRANTY (1)
- BOMB DISRUPTOR CANNONS (3)
- ALLEN-VANGUARD EOD BOMBSUITS (3)
- GOLDEN ENGINEERING XR200 PORTABLE X-RAY SYSTEM (3)

# Annex XX

## Equipment approved under exemption OC19 (1 April 2009)



UNITED STATES MISSION TO THE UNITED NATIONS

140 EAST 45 STREET
NEW YORK, N.Y. 10017

**Weapons, Ammunition, and Communication Equipment for Training and Equipping the Liberian Ministry of Defense**

| | |
|---|---|
| COMMUNICATION EQUIPMENT | |
| Datron VHF PRC 1070 (Variable High Frequency) and Components | 108 |
| Datron Man packs | 308 |
| Datron Antenna | 303 |
| Datron Hand Mike | 303 |
| Datron Vehicle Mount | 124 |
| Datron Vehicle Antenna | 124 |
| Telephone Cable Spool: Model DR-8 | 10 |
| Demolition Set: Explosive (Engineers) | 4 |
| Detecting Set: Mine, Model AN/PSS-14 | 2 |
| Plotting Board (Mortar Platoon) | 8 |
| Reel Machine: Model RL-39 | 10 |
| WEAPONS | |
| AK-47 Assault Rifle | 559 |
| Medium Machine Gun, Model PKM: Kalashnikov's Machine gun Modernized | 38 |
| Tripod, Medium Machine Gun | 41 |
| Long Gun Sniper Rifle, Models PSL or SVD | 12 |
| Scope, Long Gun | 12 |
| Vehicle Mount, Heavy Machine Gun | 6 |
| Heavy Machine Gun, 12.7mm | 20 |
| Tripod, Heavy Machine Gun | 20 |
| Sight, RPG, Model PGO-7: Optical sight for Rocket Propelled Grenade Launcher | 129 |
| Sight, RPG, Model UP-7V: Extended range optical sight used in conjunction with the PGO-7 | 129 |
| Mortar, 60mm, Model M57 | 3 |
| Sight, Mortar 60mm | 21 |
| Mortar, 81 mm, Model M69B | 3 |
| Sight, Mortar 81mm | 9 |
| Recoilless Launcher (RCL), 73mm, Model SPG-9 | 3 |
| Sight, Recoilless, Model PGO -9: four-power optical sight for the SPG-9 RCL | 2 |
| Carl Gustav Recoilless Launcher (RCL), 84mm, Models M2 or M3 | 9 |
| Optical Sight, Carl Gustav Recoilless Launcher M2/M3 | 9 |
| Recoilless Launcher (RCL), 105mm, Model M40 | 3 |
| Sight, Recoilless Launcher, M40 | 3 |
| Vehicle Mount, Recoilless Launcher, M40 | 3 |
| AMMUNITION | |
| 2.62 X 39 MM, Light Machine Gun, Ball | 19,440 |
| Mortar 60MM M57 Illumination | 100 |
| Mortar 81MM M57 Illumination | 100 |
| Mortar 81MM Smoke | 100 |
| Grenade Stun | 1,928 |

United Nations A/63/875–S/2009/291

General Assembly
Security Council

Distr.: General
5 June 2009

Original: English

General Assembly
Sixty-third session
Agenda item 21
Question of Cyprus

Security Council
Sixty-fourth year

## Letter dated 4 June 2009 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention yet another incident of violation of Cyprus's sovereignty and territorial integrity, as well as its air and maritime space, by Turkey.

On 27 May 2009, while the Cypriot-flagged vessel *EDT ARES* was carrying out maintenance on an installation for the collection of meteorological information off the south-west coast of Cyprus, upon request of the competent authorities of the Government of Cyprus, it was approached by the Turkish corvette *BEYKOZ F/503* asking to be informed of the work that it was performing. It was harassed by the same corvette for a number of hours before the latter eventually departed.

On 28 May 2009, a Turkish fighter jet (CN-235) flew to the above area, in violation of Cypriot airspace, and issued radio warnings to *EDT ARES* to withdraw "as it was in Turkish territorial waters and the exclusive economic zone of Turkey". *EDT ARES* explained that it had been mandated to carry out maintenance work by the authorities of the Republic of Cyprus and that it would remain in the area until its work was completed but the Turkish jet continued to issue warnings to the said vessel to withdraw.

These actions create unnecessary confrontation and tension, which is in fact the intended purpose on the part of Turkey in order to intimidate the Republic of Cyprus and obstruct it from carrying out any activity in its exclusive economic zone, especially as regards the exploration and exploitation of its sovereign natural resources.

The Republic of Cyprus stands ready to continue the process of delimitation of its exclusive economic zone with all its neighbouring States, pursuant to and on the basis of the United Nations Convention on the Law of the Sea. The Government of Cyprus has no doubts about its sovereignty over the totality of its territory, its territorial sea and its airspace and/or about its sovereign rights over its exclusive economic zone and its continental shelf.

I would be grateful if the present letter were circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Minas A. **Hadjimichael**

09-36177 (E) 090609

Please recycle

United Nations A/63/877–S/2009/292

General Assembly
Security Council

Distr.: General
8 June 2009
English
Original: Arabic

General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

## Identical letters dated 4 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 15 to 31 May 2009 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

09-36280 (E) 090609 110609

Please recycle

## Annex to the identical letters dated 4 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

## Israeli violations, acts of aggression and other activities from 15 to 31 May 2009

### Air violations

On 17 May 2009:

- Between 1030 and 1100 hours, four Israeli enemy warplanes violated Lebanese airspace, entering over the occupied Shab'a Farms. They circled over all regions of Lebanon before leaving over Alma al-Sha'b;
- Between 1145 and 1835 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the South, Riyaq and Zahle before leaving over Naqurah.

On 22 May 2009, between 0755 and 2000 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the South before leaving over Naqurah.

On 23 May 2009, between 0745 and 2015 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the western Bekaa and the South before leaving over Alma al-Sha'b.

On 24 May 2009, at 0745 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the South and the Bekaa, proceeding as far as Baalbek and Riyaq. It left over Rumaysh at 0110 hours on 25 May 2009.

On 25 May 2009, between 0705 and 1320 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b and heading north. It circled over the South before leaving over Rumaysh.

On 26 May 2009, between 0737 and 1400 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over eastern Sidon, Riyaq and Baalbek before leaving over Rumaysh.

On 27 May 2009:

- Between 1008 and 1108 hours, two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh and heading north. They circled over all regions of Lebanon before leaving over Alma al-Sha'b;
- Between 1040 and 1140 hours, four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa and heading north. They circled over all regions of Lebanon before leaving over Alma al-Sha'b.

On 28 May 2009, twelve Israeli enemy warplanes violated Lebanese airspace as follows:

- At 1010 hours, four warplanes entered over Alma al-Sha'b, while another four entered over Naqurah, heading north;

– At 1015 hours, two warplanes entered from over the sea off Batrun, heading east;

– At 1020 hours, two warplanes entered from over the sea off Juniyah, heading east.

They circled over all regions of Lebanon before leaving at 1055 hours over the sea off Naqurah.

On 29 May 2009:

– Between 1917 and 2135 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering from over the sea off Beirut. It circled over the sea opposite Beirut, some six miles off the coast, before leaving over the sea off Naqurah;

– At 1355 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the western Bekaa before leaving over Alma al-Sha'b at 0100 hours on 30 May 2009.

On 30 May 2009, between 0955 and 2210 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the South before leaving over Alma al-Sha'b.

On 31 May 2009, at 0750 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and heading north. It circled over the South and the western Bekaa before leaving over Naqurah at 0530 hours on 1 June 2009.

**Sea violations**

On 19 May 2009:

– At 0125 hours, an Israeli enemy gunboat encroached 100 metres into Lebanese territorial waters for five minutes, between buoys Nos. 4 and 5. The enemy repeated the exercise at 0150 hours, at the same location and to the same distance;

– At 0140 hours, from its position at Ra's al-Naqurah, the Israeli enemy directed a searchlight for three seconds towards buoy No. 3, some 300 metres inside Lebanese territorial waters.

On 22 May 2009, at 0150 hours, a Lebanese fishing vessel approached the line of buoys from the north, in the vicinity of buoy No. 3. The Israeli enemy, from its position at Ra's al-Naqurah, fired three bursts of medium-weapons fire towards the vessel, whereupon the vessel retreated to the north.

On 25 May 2009, at 0300 hours, an Israeli enemy gunboat directed a searchlight for 10 seconds towards buoy No. 3, its beam reaching some 300 metres inside Lebanese territorial waters.

On 26 May 2009, at 2142 hours, from its position at Ra's al-Naqurah, the Israeli enemy directed a searchlight for seven seconds towards Lebanese territorial waters some 100 metres north of buoy No. 3 and over the Ra's al-Naqurah position.

**Acts of aggression in the field**

On 18 May 2009:

- At 2035 hours, from its position north of the Zar'it barracks, an Israeli enemy patrol comprising two Hummer vehicles directed a searchlight for 10 seconds towards Jabal Balat (Marwahin);
- At 2140 hours, the Israeli enemy directed a searchlight for eight seconds from a wheeled vehicle located west of Khallat Wardah (opposite Ayta al-Sha'b) towards Jabal Balat (Marwahin).

On 25 May 2009, at 1340 hours, an Israeli enemy Hummer vehicle arrived at the enemy's position east of Khallat Wardah, opposite the Lebanese army position at Ruwaysat al-Hadab (Ayta al-Sha'b), and proceeded to point a 12.7 mm machine gun towards the Lebanese position. The vehicle was photographed by soldiers at the aforementioned position. The vehicle left at 1355 hours.

United Nations A/63/876–S/2009/293

General Assembly
Security Council

Distr.: General
8 June 2009
English
Original: Arabic

General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

# Identical letters dated 4 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical table of the violations committed by Israel by air, sea and land during the month of May 2009 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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# Annex to the identical letters dated 4 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

## Statistical table showing Israeli violations during May 2009

| *Air violations* | | | | | *Land violations* | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| *Military jet* | *Reconnaissance* | *Helicopter* | *Total* | *Sea violations* | *Military acts of aggression* | *Field violations* | *Breaches* | *Total* | *Overall total* | *Previous month's violations* |
| | | | | Crossing of territorial waters, and firing of automatic-weapons rounds, flares and flare shells over territorial waters | Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians | Gunfire, launching of flare shells, dropping of artillery shells, infiltration and crossing of international borders | Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory | | | |
| 10 | 19 | — | 29 | 7 | — | 7 | 1 | 8 | 44 | 43 |

United Nations A/63/875–S/2009/294

General Assembly
Security Council

Distr.: General
8 June 2009

Original: English

**General Assembly**
**Sixty-third session**
Agenda item 21
**Question of Cyprus**

**Security Council**
**Sixty-fourth year**

## Letter dated 5 June 2009 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 7 April 2009 addressed to you, I have the honour to draw your attention to new violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 1 April to 28 May 2009, as follows:

On 1 April 2009, one C-160, two Cougar and one UH-1H Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 2 April 2009, one AB-205 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 3 April 2009, one Cougar and one UH-1H Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 6 April 2009, one CN-235 and one C-650 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus twice.

On 7 April 2009, one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 8 April 2009, one B-200 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 9 April 2009, one CN-235 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 10 April 2009, one C-650 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

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On 13 April 2009, one C-160 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 14 April 2009, one C-160 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 15 April 2009, one C-130 and one Cougar Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 16 April 2009, one C-160 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 20 April 2009, one CN-235 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 21 April 2009, one CN-235 and one C-160 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 22 April 2009, two CN-235 and one B-200 Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus six times.

On 22 and 24 April 2009, one B-200 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 24 and 25 April 2009, one B-200 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 30 April 2009, six F-16 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Repuolic of Cyprus three times.

On 1 May 2009, one B-200 Turkish military aircraft violated international traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 6 May 2009, one C-160 and one GLF-4 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 7 May 2009, ten F-16 and eight F-4 Turkish military aircraft coming in two formations, violated international air traffic regulations twice.

On 8, 9 and 10 May 2009, one CN-235 and three Cougar Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 11 May 2009, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 13 May 2009, one B-200 Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 14 May 2009, one Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus twice.

On 18 May 2009, one CN-235 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 20 May 2009, two F-16 and one C-130 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 24 May 2009, one CN-235 and one C-160 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 25 May 2009, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Repuolic of Cyprus.

On 26 May 2009, three Cougar Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 27 May 2009, four F-16, one CN-235, one B-200 and one Cougar Turkish military aircraft violated international air traffic regulations seven times and the national airspace of the Republic of Cyprus four times.

On 28 May 2009, one CN-235 and two Cougar Turkish military aircraft violated international air traffic regulations twice and the national airspace of the Republic of Cyprus.

On behalf of my Government, I strongly protest the aforementioned violations by Turkey and call for their immediate cessation.

Turkey's policy of non-observance of rules and regulations governing international aviation continues to gravely jeopardize flight safety and perpetuate insecurity and apprehension on the island. Furthermore, Turkey's persistent provocations, aimed at consolidating the de facto division of Cyprus and further strengthening the illegal secessionist entity in the occupied areas, seriously undermine all efforts towards reunification and reconciliation. Such policies and actions provide ample demonstration of the irresponsible behaviour of a country that now serves as a non-permanent member of the Security Council of the United Nations.

It was encouraging to see that in the recent report of the Secretary-General on the United Nations Operations in Cyprus (S/2009/248), there was a reference to some of the aforementioned violations by Turkey.

The Government of Turkey should heed the call of the international community, abide by the Charter of the United Nations and respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, thus contributing to the creation of the required conditions for the achievement of a just and viable solution to the Cyprus problem.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Minas A. **Hadjimichael**

United Nations S/2009/295

Security Council

Distr.: General
8 June 2009

Original: English

# Report of the Secretary-General on the United Nations Disengagement Observer Force for the period from 1 January 2009 to 30 June 2009

## I. Introduction

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the past six months pursuant to the mandate contained in Security Council resolution 350 (1974) and extended in subsequent resolutions, most recently resolution 1848 (2008) of 12 December 2008.

## II. Situation in the area and activities of the Force

2. During the period under review the ceasefire in the Israel-Syria sector was maintained and the UNDOF area of operation remained generally quiet. UNDOF supervised the area of separation by means of fixed positions and patrols to ensure that military forces of either party were excluded from it. The Force also carried out fortnightly inspections of equipment and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed restrictions on the Force's freedom of movement. UNDOF continued to adapt its operational posture to the ongoing Israel Defense Forces (IDF) training activities in the area of limitation on the Alpha side and Syrian civilian development growth in proximity to the ceasefire line in the area of separation. Both sides continued to construct new and renovate existing defensive positions in the respective areas of limitation. Israeli national Customs officials continue to operate periodically at the IDF post at the UNDOF crossing gate between the Israeli-occupied Golan and the Syrian Arab Republic.

3. The Force continued to assist the International Committee of the Red Cross with the passage of persons through the area of separation. During the past six months, UNDOF assisted in the crossing of 24 students and 9 civilians, and facilitated the transfer of 7,850 tons of apples. UNDOF also provided medical treatment to 170 civilians.

4. In the area of operation, especially in the area of separation, mines continued to pose a threat to UNDOF personnel and local inhabitants. Owing to the long-term presence of the mines and the deterioration of their detonation systems, the threat



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has increased. UNDOF continued to carry out operational mine clearance. It remained available to support the United Nations Children's Fund in activities to promote mine awareness among the civilian population.

5. The UNDOF Force Commander and his staff maintained close contact with the military authorities of Israel and of the Syrian Arab Republic. Both sides generally cooperated with the Force in the execution of its tasks.

6. As at 22 May 2009, UNDOF comprised 1,043 troops, from Austria (382), Canada (2), Croatia (95), India (192), Japan (31) and Poland (341). A total of 15 personnel are being employed by Japan as a national support element. In addition, 75 military observers from the United Nations Truce Supervision Organization (UNTSO) assisted the Force in carrying out its tasks.

## III. Financial aspects

7. My detailed budget totalling $45.4 million for the maintenance of the Force for the period from 1 July 2009 to 30 June 2010 is currently before the General Assembly for its consideration and approval. Therefore, should the Security Council approve my recommendation, set out in paragraph 12 below, with respect to the extension of the mandate of UNDOF, the cost for the maintenance of the Force during the extension period will be limited to resources approved by the Assembly.

8. As at 30 April 2009, unpaid assessed contributions to the special account for UNDOF amounted to $17.0 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,620.3 million. As at 30 April 2009, amounts owed to troop contributors to UNDOF totalled $5.0 million. Reimbursement of troop and contingent-owned equipment costs have been made for the period up to December 2008 in accordance with the quarterly payment schedule.

## IV. Implementation of Security Council resolution 338 (1973)

9. The Security Council, when deciding in its resolution 1848 (2008) to renew the mandate of UNDOF for a further period of six months, until 30 June 2009, also called upon the parties concerned to implement immediately its resolution 338 (1973) and requested me to submit, at the end of the period, a report on developments in the situation and the measures taken to implement that resolution. The search for a peaceful settlement in the Middle East, in particular the efforts undertaken at various levels to implement resolution 338 (1973), was dealt with in my report on the situation in the Middle East (A/63/361), submitted pursuant to General Assembly resolutions 62/84 and 62/85.

## V. Observations

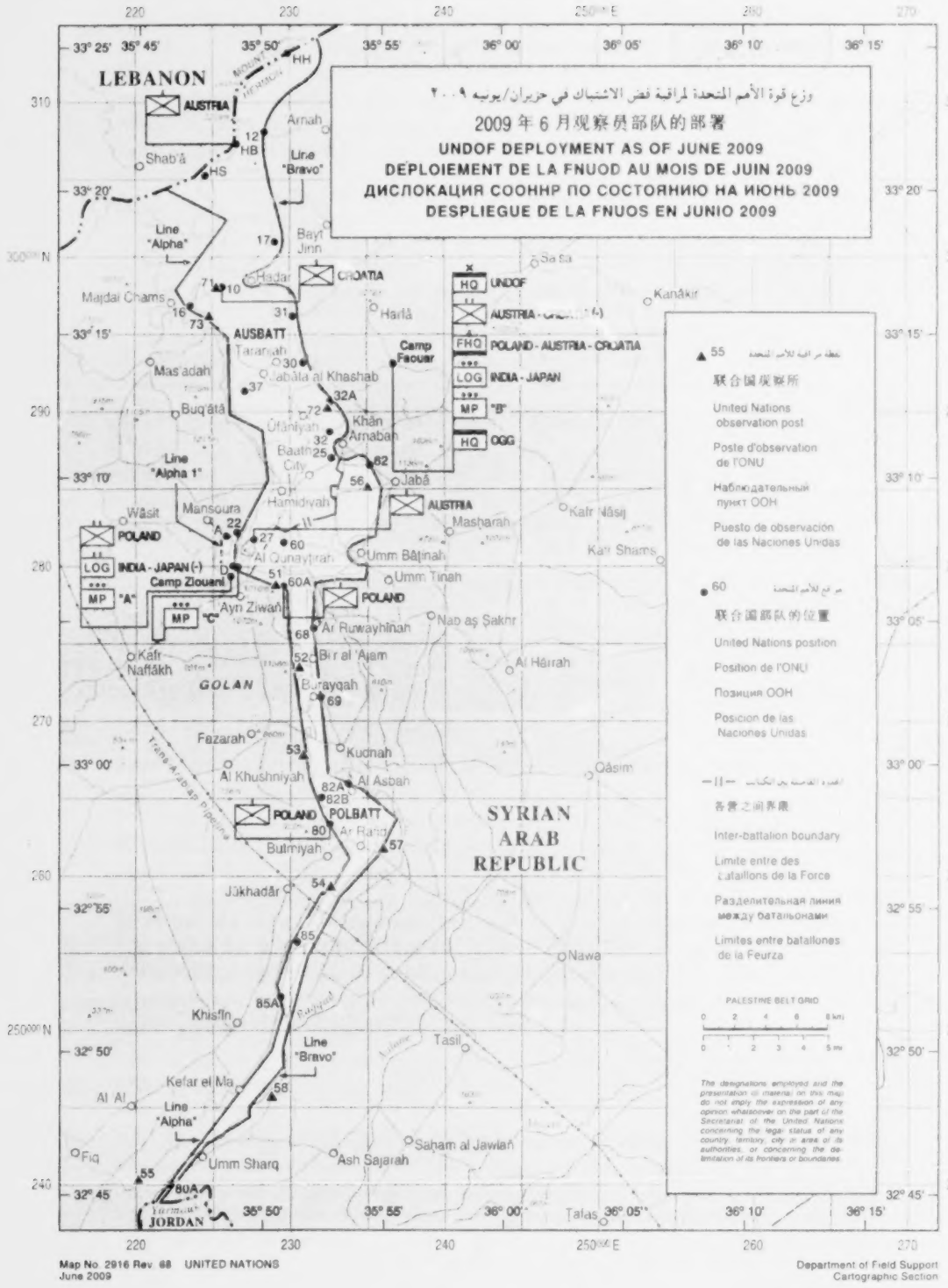
10. The situation in the Israel-Syria sector has remained generally quiet. UNDOF, which was established in May 1974 to supervise the ceasefire called for by the Security Council and the agreement on disengagement between Syrian and Israeli forces of 31 May 1974, has continued to perform its functions effectively, with the cooperation of the parties.

11. Nevertheless, the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973). In this context, I encourage the parties to resume the indirect peace talks, initiated under the auspices of Turkey, aimed at a comprehensive peace in accordance with the Madrid Conference terms of reference for peace.

12. Under the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 30 December 2009. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement. It is hoped that both sides will continue to make efforts to ease the limitations on the mobility of the Force and facilitate the movement of its supplies.

13. In making this recommendation, I must draw attention to the shortfall in the funding of the Force. As at 30 April 2009, unpaid assessments amounted to $17.0 million. At the same time, as at 30 April 2009, $5.0 million is owed to the troop contributors to UNDOF. The outstanding contributions impede the ability of the Secretariat to support the operations of the Force and to reimburse Member States contributing troops to the Force.

14. In conclusion, I wish to pay tribute to Major General Wolfgang Jilke and to the men and women serving with UNDOF and UNTSO. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those which provide the UNTSO military observers assigned to the Force.


وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في حزيران/يونيه ٢٠٠٩
2009 年 6 月观察员部队的部署
UNDOF DEPLOYMENT AS OF JUNE 2009
DEPLOIEMENT DE LA FNUOD AU MOIS DE JUIN 2009
ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА ИЮНЬ 2009
DESPLIEGUE DE LA FNUOS EN JUNIO 2009
LEBANON
SYRIAN ARAB REPUBLIC
GOLAN
JORDAN
AUSTRIA
CROATIA
POLAND
POLBATT
AUSBATT
INDIA - JAPAN (-)
Camp Ziouani
Camp Faouar
HQ UNDOF
FHQ POLAND - AUSTRIA - CROATIA
LOG INDIA - JAPAN
MP "A"
MP "B"
MP "C"
HQ OGG
Line "Alpha"
Line "Alpha 1"
Line "Bravo"
Trans Arab Gas Pipeline
United Nations observation post
Poste d'observation de l'ONU
Наблюдательный пункт ООН
Puesto de observación de las Naciones Unidas
United Nations position
Position de l'ONU
Позиция ООН
Posición de las Naciones Unidas
Inter-battalion boundary
Limite entre des bataillons de la Force
Разделительная линия между батальонами
Limites entre batallones de la Feurza
联合国观察所
联合国部队的位置
各营之间界限
PALESTINE BELT GRID
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Map No. 2916 Rev. 68 UNITED NATIONS
June 2009
Department of Field Support
Cartographic Section

United Nations S/2009/296

# Security Council

Distr.: General
9 June 2009

Original: English

## Letter dated 5 June 2009 from the Permanent Representative of Cyprus to the United Nations addressed to the President of the Security Council

The Security Council, at its meeting on the situation in Cyprus held on 29 May 2009, held a number of erroneous allegations and regrettable positions by the Republic of Turkey with respect to the situation in Cyprus more generally, as well as in relation to the ongoing efforts to find a settlement to the Cyprus problem. Since my delegation was not allowed to make a statement at the said Council meeting, I should be grateful if you could bring to the attention of the members of the Council the position of my Government on the said allegations and positions, as contained in the attachment to the present letter (see annex), and circulate it as a document of the Security Council.

(*Signed*) Minas A. **Hadjimichael**
Ambassador, Permanent Representative of Cyprus

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## Annex to the letter dated 5 June 2009 from the Permanent Representative of Cyprus to the United Nations addressed to the President of the Security Council

## Response of the Permanent Mission of the Republic of Cyprus to the United Nations to the explanation of vote made by the representative of the Republic of Turkey in the 6132nd meeting of the Security Council held on 29 May 2009

It is unfortunate that the Republic of Turkey chose to vote against the draft resolution that was adopted by the Council during its 6132nd meeting as resolution 1873 (2009). As a member of the Security Council, Turkey carries a responsibility towards the maintenance of international peace and security which supersedes any considerations that are guided by what that member may perceive as its national interest.

However, even more disconcerting is the content of the explanation of vote that followed the rejection of Security Council resolution 1873 (2009) by Turkey, as the historical revisionism outlined therein amounts to a denunciation of all Security Council decisions on Cyprus to date and of the nature of the settlement that the leaders of the two communities in Cyprus are currently in the process of trying to achieve, having themselves agreed to the basis of the settlement, which has been repeatedly endorsed by the Security Council.

The Republic of Cyprus, which gained its independence in 1960 after centuries of colonization, was not a "partnership State", nor did it comprise more than one people. The two communities, along with the other religious groups, constitute the Cypriot people and are equal citizens of the Republic of Cyprus whose rights are guaranteed by the Constitution, regardless of ethnic background or religious persuasion. The Government of the Republic of Cyprus remains the only legitimate Government of Cyprus, despite the choice of the Turkish Cypriots to opt out of the institutions of the State in 1963 by relinquishing their functions. Their positions in all institutions of the Government have been vacant since then. Any centrifugal tendency that aims at partitioning Cyprus, including the use of force by Turkey in 1974, will not curb the resolve of the Cypriot people to live peacefully in a truly united State with one sovereignty, one international personality and one citizenship, and without any external interference.

It is regretful that the said statement of Turkey suggests that the result of its use of force against a sovereign Member State of the United Nations — that is, the establishment of an illegitimate regime in the area of Cyprus that it still occupies — should be recognized in order to achieve a settlement to the Cyprus problem. The Security Council has been clear in condemning this purported secessionist entity as invalid, in its resolutions 541 (1983) and 550 (1984), and all Member States of the United Nations, and particularly those serving on the Security Council, should comply with them, as opposed to putting their violations thereof on display in the Security Council Chamber. The insistence of Turkey on, and its omnifarious contribution to, the partition of Cyprus as its preferred solution to the Cyprus problem, has created the untenable status quo in which we find ourselves. Unless its mentality shifts from one of a two-State solution to one of reunification under a bicommunal, bizonal federation with political equality as set out in Security Council

resolutions, Turkey will continue to be the reason why this problem remains unresolved.

Until Cyprus is reunified, the presence of the United Nations Peacekeeping Force in Cyprus is indispensable in order to counter the threat posed to international and regional peace and security by the presence of upwards of 42,000 Turkish armed forces, which continue to maintain the Turkish occupation of one third of the territory of Cyprus, and to prevent the recurrence of fighting.